

The Trial of the Talmud: Paris, 1240

By the early thirteenth century, European Jewish life was firmly rooted in the directives and doctrines of the Babylonian Talmud. Likewise by the early thirteenth century, the Catholic Church had become extremely powerful and was committed to exerting the fullest possible control over western Christendom. It was also increasingly well informed about Judaism and its Talmud, largely through learned converts. Initially, knowledge of the Talmud was used to mock Jews for their purported lack of religious sophistication. In 1236, however, an apostate named Nicholas Donin appeared at the court of Pope Gregory IX, claiming that the Talmud was much worse than simply foolish. Donin argued that, for many reasons, the Talmud was in fact harmful and thus intolerable in a Christian society. Pope Gregory sent Donin off throughout Europe in 1239 with a message to secular authorities and leading clergy: The allegations of Nicholas Donin were to be carefully investigated, and – if substantiated – the Talmud was to be destroyed and Jews were to be prohibited from using it.

Only one European ruler acted on the papal injunction, and that was the pious King Louis IX of France, who convened a trial of the Talmud in Paris. This unprecedented trial of the Talmud is richly reflected in a variety of sources – both Christian and Jewish – that are offered in English translation in this volume. From these diverse sources emerges a dramatic portrait of Christian accusations against the Talmud and Jewish rebuttals. While the Talmud was condemned by the Paris court and burned in large quantities, eventually Pope Gregory's successor modified the Paris findings and ordered that the Talmud simply be censored, with the offending passages removed. Thus, a major catastrophe for European Jewry was averted, and Europe's Jews could continue to ground their religious lives in talmudic ordinances and teachings.

Mediaeval Sources in Translation

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The Trial of the Talmud

Paris, 1240

Hebrew texts translated by

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Latin texts translated by

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Historical essay by

ROBERT CHAZAN



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Preface

The trial and condemnation of the Talmud in Paris in 1240 was a truly frightening experience for the Jews of northern France and, in fact, for all the Jews of western Christendom. For the young Jewish communities of Christian Europe, the Talmud was the backbone of their Jewish existence. Now, for the first time, Christian Europe was introduced to the Talmud as an intolerable document via a convert from Judaism to Christianity, and the Talmud was in danger of disappearing from European Jewish life altogether. The Talmud was in fact officially condemned by the Paris jury in 1240, was publicly burned by the French authorities, and was formally prohibited by these same authorities. Had this stance been sustained by other European rulers, Jewish life would have come to an end in medieval Europe. Fortunately for ongoing Jewish existence in Christian Europe, Jewish leaders stepped in and convinced Pope Innocent IV that outlawing the Talmud, and the resultant prohibition of Judaism altogether, contravened fundamental Church policy and was thus illegitimate. Convinced by this argument, Pope Innocent IV altered the findings of the Paris jury and ordered censorship of the Talmud instead of outright prohibition. To be sure, censorship affected the future of the Talmud in the Christian West, as passages were excised in manuscripts and later in printed editions, but a censored Talmud was far better than no Talmud at all.

The sources for this harrowing and influential incident have long been known to the scholarly community but have not been available to a broader audience. This lacuna is addressed in the present volume, in which the relevant Christian and Jewish texts have been assembled and translated. We are very fortunate in having John Friedman's translation of the Disputation of Rabbi Yehiel and his fresh translation of Meir of Rothenberg's dirge. To these have now been added the Christian evidence: Latin letters, accusations, and confessions, translated by Jean Hoff. Both translators have worked through extremely difficult texts and provided lucid and accessible modern English versions: my warmest commendations to them. I am also grateful to Jean for her insight and for her many valuable comments on my essay and to Stephen Shapiro for the meticu-

lous and thoughtful copyediting he has provided. My deepest appreciation to Fred Unwalla at the Pontifical Institute of Mediaeval Studies, who has shepherded this complex volume through to publication with patience, sympathy, and intelligent understanding.

ROBERT CHAZAN
New York University

This volume had its origins while I was preparing to teach a course on Jews in medieval Europe some years ago. In reviewing the materials relating to the infamous trial and condemnation of the Talmud in Paris in 1240, I discovered that the principal Hebrew source was not available in a modern translation. *The Disputation of Rabbi Yehiel of Paris* presented here was the happy result. In my translation of the Hebrew narrative I have sought to provide a rendition that will be useful to undergraduate classes, graduate seminars, and scholars working in English. Not only does the original work require proficient skill in rabbinic Hebrew, but it also demands familiarity with a wide variety of biblical and rabbinic sources. Only a thoroughly annotated translation identifying sources can do some justice to the text and at the same time prove an adequate resource for the university classroom.

Some might argue that the Hebrew report of the 1240 Disputation cannot be adequately translated, due to the extensive *melitza* (the use of biblical, rabbinic, and post-rabbinic quotations and references for rhetorical purposes). To be sure, this rhetorical style does present difficulties, and it is certain that all texts are best understood in the language of their composition; yet it is translation that provides readers with a window onto an otherwise unknown historical source. While reading this translation in English will not convey to students all the nuances of the original Hebrew, it can, especially with guidance, provide them with an ample understanding of the text and its contexts.

In the appendix to this volume, I have translated a second, related work: Rabbi Meir of Rothenberg's dirge on the burning of the Talmuds of thirteenth-century France by King Louis IX. Although my translation was carried out independently, I wish to acknowledge here the version of the dirge found in Susan Einbinder's *Beautiful Death: Jewish Poetry and Martyrdom in Medieval France* (Princeton, 2002).

I express my deepest thanks to the Center for Jewish Studies at Harvard University, whose Daniel Jeremy Silver Fellowship supported me during this

work; to the Judea Reform Congregation in Durham, North Carolina, which I have served for thirty years, for affording me periodic months of sabbatical time and constantly encouraging my intellectual life; to Susan Einbinder of my alma mater, the Hebrew Union College–Jewish Institute of Religion, whose guidance was invaluable; to Kalman Bland of Duke University, without whose confidence and encouragement I could not have undertaken this work; to my ever insightful friend Joshua Weinstein, who helped me solve many difficult translation problems; and to Irit Kleiman of Boston University for her help with Old French. Thanks also to George Gopen and Ellen Mickiewicz of Duke for their insights. Finally, I am honored that Robert Chazan agreed, graciously and enthusiastically, to write the introduction to this volume: his masterly essay on the fate of the Talmud in medieval Europe distills a lifetime of work and should prove invaluable to scholars and students alike. And most important: deepest appreciation to my wife Nan, without whose love and sustenance I would never have begun this work.

JOHN FRIEDMAN

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It was Robert Chazan who suggested that the translation of the Hebrew narrative would be considerably enhanced by the inclusion of the Christian evidence, specifically the sections now entitled Latin letters and Latin confessions. When I was asked to translate this material, I was extremely reluctant since it seemed unlikely that any translation of mine would be an improvement on the existing versions in Solomon Grayzel's *The Church and the Jews in the XIIIth Century* (Philadelphia and New York, 1933–1989) and Hyam Maccoby's *Judaism on Trial: Jewish–Christian Disputations in the Middle Ages* (Rutherford, NJ, 1982). But my uncertainty about what I might contribute to the project changed to enthusiasm when I realized that there was no complete English translation of the Latin accusations. Thus began my own introduction to the world of the Talmud. It has been a fascinating journey, and I have learned much in process.

JEAN CONNELL HOFF

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Trial, Condemnation, and Censorship: The Talmud in Medieval Europe

ROBERT CHAZAN

In 1240 in Paris, the Talmud was put on trial before a papally commissioned jury of university scholars, with a former Jew presenting the charges and the evidence and a set of northern French rabbis serving as witnesses for the defense. At the end of the proceedings, the Talmud was found guilty of at least some of the charges leveled against it, and one or two years later large quantities of Talmud manuscripts – each painstakingly copied by hand – were consigned to the flames in one of the major squares of the French kingdom's capital city. As a result of the trial, the French monarchs over the ensuing decades prohibited their Jews from possessing and utilizing the Talmud (how effective such a prohibition might have been is not at all clear). Interestingly, the papacy – which had set the trial in motion – broke with the French prohibition of the Talmud and established a different policy subsequent to the trial and condemnation, urging the rulers of western Christendom to have the Talmud manuscripts in their domains subjected to scrutiny and rigorously censored to remove offensive passages.

All this was on the formal ecclesiastical and political levels. The trial of the Talmud had impact on the popular level as well. By the 1240s, increasingly damning anti-Jewish imagery had been percolating across northern Europe for almost a century. This imagery projected profound Jewish hatred of Christianity and Christians; it began with the conviction that Jews regularly blasphemed the sacred objects of the Christian faith; it proceeded to allege that Jews regularly killed Christians, whom they despised for the simple fact of their adherence to Christianity. Coming in the midst of this proliferating imagery of Jews as militantly and aggressively anti-Christian, the trial of the Talmud – with its highlighting of talmudic passages that seemed to blaspheme Jesus, Mary, and the Church and other talmudic statements that seemed to condone or even require Jewish anti-Christian behaviors – added further substance to the accelerating sense of Jewish enmity and malevolence.

The trial of the Talmud and its condemnation, with complex ramifications on both the formal and popular levels, struck at the very heart of Jewish life in

medieval western Christendom. As Jewish communities began to emerge across Christian Europe during the tenth and eleventh centuries, Judaism had increasingly been defined in the great Middle Eastern centers of Jewish population and culture as rooted in the Talmud. Jews from east to west sought to fulfill the divine-human covenant as clarified and detailed in the Talmud, which had become the guide to Jewish living, the repository of Jewish wisdom, the focus of the advanced Jewish curriculum, and the key to religious leadership in the Jewish community.

Jewish life in the Christian sectors of thirteenth-century Europe – especially in the north – was still evolving. In western Christendom, where the Catholic Church stood at the very center of civilization, its leadership had long ago promised Jews the right to live according to their own laws and practices. As a result talmudic Judaism had a firm hold in the older Jewish communities of southern Europe (most of which had previously flourished under Muslim rule and had then been transferred to Christian hegemony) and formed the basis for Jewish life in the new Jewish communities of the north. The assault on the Talmud of the 1240s threatened the very foundations of Jewish life throughout Christian Europe.

In the face of this very serious threat, the Jews of Christian Europe mobilized to defend their heritage and their way of life. Efforts to counter the trial and condemnation of the Talmud rapidly took shape. The most significant of these efforts involved interventions with the leadership of the Catholic Church. Jewish leaders argued to Pope Innocent IV that total prohibition of the Talmud – the stance of the clerical leadership in Paris and the pious King Louis IX of France – represented abrogation of the traditional Church policy of toleration of Judaism, since there could be no practice of Judaism without the Talmud to guide and direct it. Thus, prohibition of the Talmud meant a break with well-established Church policy, bequeathed from antiquity. When Pope Innocent IV accepted this argument and decreed censorship of the Talmud rather than outright prohibition, the impact of the trial and condemnation of the Talmud was mitigated significantly. By the late 1240s, the worst of the danger had passed.

The precise details of the trial, its verdict, and its aftermath are by no means entirely clear. Fortunately, we are provided with a range of source materials, although many of these sources are not as detailed as we would wish them to be and leave significant gaps in our knowledge. Especially useful is the fact that our sources emanate from both sides – the Christian and the Jewish. The disparities between the Christian and Jewish perceptions of events remind us

tellingly of the reality of alternative perspectives on all human issues and events. Thus, the trial and condemnation of the Talmud – besides its intrinsic importance – offers an intriguing challenge in historical reconstruction.

Curiously, although aspects of these developments have been analyzed recurrently in a wide range of studies,¹ the trial and condemnation of the Talmud have not been the focus of an extended monograph in English. The two fullest treatments are in Hebrew and French. In 1970, Chen Merhavia published in Hebrew *Ha-Talmud be-Rei ha-Nazrut* (*The Talmud in the View of Christianity*), a study of Church views of the Talmud from 500 through the condemnation of 1248. The first half of the Merhavia book is devoted to tracing Church awareness of the Talmud from 500 through the 1230s; the second half is devoted entirely to the assault of the 1230s and 1240s, with a focus on the materials in the lengthy Paris manuscript that provides the bulk of the Christian evidence.² In the wake of an international conference held in Paris and Troyes in May 1994, a valuable volume of papers was published in 1999 under the title *Le brûlement du Talmud à Paris 1242–1244*, edited by Gilbert Dahan. The volume includes a number of papers devoted to the sources for the events

1 These works include: Judah M. Rosenthal, "The Talmud on Trial: The Disputation at Paris in the Year 1240," *The Jewish Quarterly Review* 47 (1956–1957): 58–76 and 145–169; Solomon Grayzel, "The Talmud and the Medieval Papacy," in *Essays in Honor of Solomon B. Freehof*, ed. Walter Jacobs et al. (Pittsburgh, 1964), 220–245; Benjamin Z. Kedar, "Canon Law and the Burning of the Talmud," *Bulletin of Medieval Canon Law* 9 (1979): 79–82; Jeremy Cohen, *The Friars and the Jews: The Evolution of Medieval Anti-Judaism* (Ithaca, 1982), 51–76; Joel E. Rembaum, "The Talmud and the Popes: Reflections on the Talmud Trials of the 1240s," *Viator* 13 (1982): 203–223; Robert Chazan, "The Condemnation of the Talmud Reconsidered (1239–1248)," *Proceedings of the American Academy for Jewish Research* 55 (1988): 11–30; Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley, 1999), 317–363; Paul Lawrence Rose, "When Was the Talmud Burnt at Paris? A Critical Examination of the Christian and Jewish Sources and a New Dating: June 1241," *Journal of Jewish Studies* 62 (2011): 324–339; Judah Galinsky, "The Different Hebrew Versions of the 'Talmud Trial' of 1240 in Paris," in *New Perspectives on Jewish–Christian Relations*, ed. Elisheva Carlebach and Jacob J. Schacter, The Brill Reference Library of Judaism 33 (Leiden, 2012), 109–140. An unpublished doctoral dissertation on the trial and condemnation of the Talmud was completed at the University of Michigan in 2008 by Saadia R. Eisenberg, with the title "Reading Medieval Religious Disputation: The 1240 'Debate' Between Rabbi Yehiel of Paris and Friar Nicholas Donin" (the evidence available on Nicholas Donin – reviewed below, in the section entitled "Dramatis Personae" – makes no mention of him as a friar; in fact it suggests overwhelmingly that he was not).

2 Chen Merhavia, *Ha-Talmud be-Rei ha-Nazrut* (Jerusalem, 1970).

and an especially important article by André Tuilier on the proceedings.³ The present volume is long overdue for an English reading audience; it benefits from the combination of an overview essay and the key sources – Christian and Jewish – in English translation.⁴

The Talmud in Medieval Europe

Medieval Jews and medieval Christians both venerated the selfsame collection of sacred books, which Jews read in the Hebrew original and Christians read in a variety of versions, most prominently the Greek and Latin translations. For medieval Jews, this set of books was the *Torah she-be-khetav* (The Written Torah); for medieval Christians, it was the Old Testament. Both designations point beyond themselves – the former to the Jewish *Torah she-be-‘al peh* (The Oral Torah) and the latter to the Christian New Testament. For Jews, the two Torahs were intimately and indissolubly linked, with the first explicated and completed in the second; for Christians, the same was true of the two Testaments. Much of the historic Jewish–Christian dispute was rooted in the disparities between the Oral Torah and the New Testament and in the differences in understanding the Hebrew Bible reflected in these two subsequent literatures.

In the first half of the Middle Ages, European Jews may have known something of the New Testament, but we have little evidence of Jewish life in early medieval Christian Europe. At that time, European Christians – of whom we are far better informed – certainly knew relatively little of the Oral Torah, which was in the process of being classically formulated in the Babylonian Talmud. The reasons for this lack of evidence about European Jewish life and for the Christian lack of knowledge of the Talmud are one and the same – the demographic realities of early medieval Jewish life. Through the first half of the Middle Ages, Christian Europe housed only a minuscule Jewish population. During those centuries, worldwide Jewry was overwhelmingly centered in Muslim territories that stretched from the Middle East to the eastern end of the Mediter-

3 Gilbert Dahan, ed., *Le brûlement du Talmud à Paris 1242–1244* (Paris, 1999). The Tuilier essay, “La condamnation du Talmud par les maîtres universitaires parisiens, ses causes et ses conséquences politiques et idéologiques,” can be found there, 59–78.

4 The fullest and most reliable depiction in English of the trial and condemnation of the Talmud is Cohen, *Living Letters of the Law*. In his discussion, Cohen introduces a number of criticisms of my earlier “The Condemnation of the Talmud Reconsidered.” I have taken full note of these criticisms in the present overview.

anean and along its southern and western shores. A smaller but venerable set of Jewish communities existed in the Byzantine Empire, while the Jewish population of Christian Europe was negligible. This tiny population of Jews has left us little evidence of its lifestyle in general and its knowledge of Christianity in particular. Lacking sizable centers of active Jewish life, European Christians had little access to post-biblical Jewish practice and thinking.⁵

This demographic situation began to change toward the end of the first Christian millennium. At that time, a process of vitalization began in Christian Europe. While the roots of this process are obscure, its dimensions are not. Population increased, the economy was bolstered, towns expanded and multiplied, governance improved, and the Church became a better organized and more powerful force. Christian Europe began a process that would transform it from the weakest of the western world's religio-political blocs in the year 1000 to the very strongest in 1500 and thereafter.

Increasingly vigorous, western Christendom quickly became militant and aggressive. Christian warriors struck out at Muslim enclaves on the Italian and Iberian peninsulas and conquered many of them. The newly conquered territories had housed under Muslim rule significant Jewish communities, and these Jews faced the choice of retreating back into territories that remained under Muslim domination or accommodating themselves to the newly installed Christian authorities. This difficult decision was abetted in considerable measure by the new Christian rulers, who offered generous privileges to Jews who would remain in place. Many and probably most Jews accepted these offers and chose to remain where they were, thereby augmenting considerably the Jewish population of the rapidly expanding Christian domains of southern Europe.

The Jewish population of Christian Europe grew in yet another way. Jews living around the Mediterranean Basin, impressed with the vitalization taking place in Christian lands, chose to make their way into the rapidly developing Christian territories in order to take advantage of the economic opportunities they offered. Again, these decisions on the part of individual and enterprising Jews were reinforced by the support of Christian rulers, in this case anxious to increase their urban populations. The immigration of Mediterranean Jews from Muslim to Christian territories served to further swell the Jewish population of the Christian areas of southern Europe.

5 On the demographic realities of early medieval Jewish life, see Robert Chazan, *The Jews of Medieval Western Christendom, 1000–1500* (Cambridge, 2006), 1–5.

Such immigration was yet more important to the creation of a new Jewish population in northern Europe, which had long been beyond the perimeter of world Jewish population. In antiquity, northern Europe was the backward hinterland to the far more civilized Roman Empire, and there was nothing to entice Mediterranean Jews northward into this lagging area. The same was true throughout the first half of the Middle Ages. Jewish traders made their way across northern Europe, but few if any of them chose to establish permanent homes or communities there. With the vitalization of Christian Europe, the option of settling in the rapidly developing areas of northern Europe became increasingly appealing. Again, more was involved than simply Jewish perceptions of economic opportunity. Once more, Christian rulers took an active stance, issuing invitations that offered considerable advantages to Jews interested in settling in their domains. Out of the combination of Jewish initiative and the support of Christian rulers, a genuine Jewish population began to emerge in northern Europe for the very first time.⁶

As the older Jewish population of the south and the new Jewish population of the north expanded, meaningful Jewish-Christian contact was now possible, indeed inescapable, for the Jewish minority. European Jews encountered on a daily basis the symbols and rituals of Latin Christianity, which confronted them throughout the public spaces of the towns in which they lived. The Christianity that dominated Europe in the second half of the Middle Ages posed a potent challenge to the Jewish minority and forced Jewish religious and intellectual leaders to elaborate arguments in defense of Judaism. Part of this argumentation involved criticism of the Christian alternative, which included detailed awareness of the New Testament and biting critiques of it.

At the same time, Christians became increasingly cognizant of Judaism, albeit much more slowly and superficially. While their numbers grew at a steady rate, the Jews of Europe still constituted only a tiny portion of the total European population. Even in the urban areas in which they congregated, European Jews were a mere fraction of the inhabitants of the rapidly expanding European towns. Small numbers translated into limited impact on the consciousness of the Christian majority. Equally important, the Jewish town-dwellers tended to live among themselves in self-segregated neighborhoods, out of concern for security, social cohesion, psychological comfort, and religious activity. Moreover, it was clearly understood that Judaism was in no way

6 On the growing Jewish population of medieval Europe, see Robert Chazan, *Reassessing Jewish Life in Medieval Europe* (Cambridge, 2010), Chap. 5.

to threaten the reigning Christian faith. This meant that the symbols of Judaism could not be displayed in a public manner, which might offer Christian burghers awareness of an alternative faith system. Thus, for all these reasons, Jewish thinking and practice were known to the Christian populace in only the most limited fashion.

Even the relatively slim elite of Christian learning was circumscribed in its knowledge of Judaism. What learned Christians during the eleventh century knew of Jewish life was largely drawn from the New Testament encounters between Jesus and his Jewish contemporaries. They were aware in the most general terms of the Jews' commitment to Jewish law and the leadership role of the Pharisees/Rabbis. All this was portrayed pejoratively in the Gospel accounts and thus perceived negatively by the medieval Christian readers of those accounts. However, Jewish life had evolved considerably over the millennium that separated eleventh-century Europe from first-century Palestine. The learned Christian elite of eleventh-century Europe knew little or nothing of the post-70 C.E. evolution of Jewish life in Palestine, of the codification of the Mishnah in the late-second- and early-third-century Galilee, of the slow shift of the center of Jewish population eastward into Mesopotamia, of the compilation of the Babylonian Talmud, and of the subsequent consolidation of talmudic Judaism throughout most of the Jewish world, including the Jewish enclaves of southern and northern Europe.⁷

Starting in the twelfth century, an important new source for knowledge of Judaism emerged – at least for Europe's literate leaders. Slowly, a small group of knowledgeable Jews began to convert to Christianity. Such converts undertook to write about their conversions, in part out of a need to prove their sincerity to Christian peers and in part out of a need to justify their conversions to themselves. In the process of detailing their conversions, these converts necessarily contrasted the Judaism they had abandoned with the Christianity they had embraced. As a result of these innovative writings, European Christians had access for the first time to the actual beliefs and practices of their European Jewish contemporaries. To be sure, these works were tendentious. Wanting to explain their conversions, these authors necessarily portrayed the Jewish faith they had left in a thoroughly negative light. Nonetheless, even this negativity was a step forward in bringing the broad outlines of contemporary Jew-

7 On the development of talmudic Judaism in medieval Europe, see Talya Fishman, *Becoming the People of the Talmud: Oral Torah as Written Tradition in Medieval Jewish Cultures* (Philadelphia, 2011).

ish life to the consciousness of the Christian majority. The dismissive bent of these compositions set the broad backdrop to the thirteenth-century assault on the Talmud.

The most talented and important of these converts was a Spanish Jew named Moses of Huesca, who converted in 1106 – not long after his home town had been conquered by King Pedro I of Aragon in 1097 – and took the new Christian name Petrus Alfonsi. Well educated along the lines established by the Jews of Spain under Muslim rule, Petrus was thoroughly comfortable in Hebrew, Arabic, and Latin, in which he wrote his many literary works. His education involved mastery of the Hebrew Bible, the talmudic corpus, philosophy, and the sciences. All these elements in his background played a role in his successful career as a Christian intellectual and a transmitter of knowledge from the Muslim sphere to Christian Europe. His expertise in the Talmud and his sharing of that expertise to an extent with his new Christian co-religionists constitutes a major – albeit negative – step in Christian knowledge of talmudic Judaism.

As noted, converts over the ages have felt the need to prove the sincerity of their conversions to their new co-religionists and to themselves, and Petrus Alfonsi was no exception. He penned an extremely important polemical dialogue between two figures – Moses the Jew, who represented his formerly Jewish self, and Petrus, who spoke for the new and genuine truth he had come to recognize. Petrus begins his dialogue with the Jewish protagonist by having Moses encounter Petrus and upbraid him in the following terms:

Now, then, I beg you to reveal to me [your] intention and why you abandoned the old law, or reveal the reason that you chose a new law.

For I knew well that earlier you used to excel in the writings of the prophets and the sayings of our sages, and that from your youth you were more zealous for the law than all your contemporaries; that if there were any adversary, you opposed him with a shield of defense; that you preached to the Jews in the synagogues, lest any withdraw from the faith; that you taught your companions; [and] that you led the learned to greater things. See, then, I do not know nor do I see why you have changed and become estranged from the path of rectitude, which, to my mind, I think was done in error.⁸

8 Petrus Alfonsi, *Dialogue against the Jews*, trans. Irvén M. Resnick (Washington, 2006), 43.

Petrus, who was both the Christian protagonist and the author of the work in its entirety, was able to portray in this passage the consternation of a former fellow Jew, who knew the pre-conversion Moses well and was both puzzled and dismayed by the latter's abandonment of the Jewish community and religion. Petrus has this erstwhile companion speak of the convert's early command of both the Written Torah ("the writings of the prophets") and the Oral Torah ("the sayings of our sages"), and it is significant that Petrus points to the combination of the two Torahs as the foundation of the Judaism within which the convert had grown up.

In responding, the Christian protagonist begins with the Written Torah, which he claims the Jews misunderstand thoroughly as a result of their inability to see beneath the surface of matters. This is captured in a brief but telling exchange:

Moses: Make me understand, then, how it seems to you that the Jews have erred in the explanation of the law, which you understand better.

Petrus: Since I see that they attend to the surface [meaning] and the letter of the law alone, and do not explicate it spiritually but rather carnally, this is why they are especially beguiled by error.⁹

This is, of course, a view not original to Petrus Alfonsi; it is a Christian view of Judaism deeply rooted in antiquity.

What is innovative in Petrus's dialogue is his immediate extension of this hoary Christian claim into the realm of the Oral Torah. When Moses asks Petrus to clarify his point, the latter says the following:

Are you not mindful of your teachers who wrote your teaching, on which your entire law relies, according to you, how they claim that God has a form and a body, and they attribute such things to his ineffable majesty as it is wicked to believe and absurd to hear, seeing that they are not based on reason?¹⁰

⁹ Ibid., 46.

¹⁰ Ibid.

Here, Petrus first asserts that Jews believe that the Oral Torah is the foundation of the Jewish religious system, which is an accurate observation and an important one for early-twelfth-century Christian readers.

Having established this reality, he then proceeds immediately to attack the Oral Torah that sustains Jewish life. Again, Petrus provides an innovative perspective on the Oral Torah. The Gospels, which tended to serve as the major evidence for Judaism for most prior medieval Christians, portray the teachings of the Pharisees/Rabbis as superficial and erroneous, but the superficiality and error of these teachings lie in their rigidity and their lack of the moral insight introduced by Jesus. For Petrus – fully imbued with the growing sense of the role of reason in philosophy and religion – the superficiality and error of rabbinic teachings lie in their clash with the dictates of reason. Here, Petrus introduces an innovative perspective on the Oral Torah, one very much attuned to the new intellectual environment of the twelfth century.

Petrus cites as a first example of the irrationality of rabbinic teachings their depiction of God in anthropomorphic terms as having a form and a body. Interestingly, Petrus, who was undoubtedly conversant with prior Jewish thinkers, such as the tenth-century Saadia Gaon, who wrestled with the corporeal imagery of the Written Torah, makes no mention of this recent Jewish wrestling with corporeality. Instead, he simply highlights the corporeality of the overall Oral Torah imagery of the divine. There is, according to Petrus, much additional irrationality in rabbinic teachings.

Again, explaining the law according to the capacity of your intellect, you hope that you are about to escape from captivity, in a manner that cannot happen. Again, in the escape from captivity, you hope that God will perform an unwonted miracle, so that he will raise your dead, who will begin to dwell on the earth in the manner they did previously.¹¹

Thus, in their imagery of God and of human history rabbinic teachings fly in the face of reason and reflect the limitations of the Jewish intellect.

The new insights into the Oral Torah introduced by Petrus Alfonsi were probably echoed by other converts as well, resulting in growing awareness of the Oral Torah at least among Christian intellectuals. Our sharpest sense of this new awareness comes from Peter the Venerable, the influential mid-twelfth-

11 Petrus Alfonsi, *Dialogue against the Jews*, trans. Resnick, 46.

century abbot of Cluny. Peter the Venerable was consumed with a sense of the battle that Christendom must wage against its enemies, both external and internal. Muslims from the outside and heretics from within had to be confronted and subdued. Jews seemingly fell into both camps – they were non-Christians and thus external enemies, but they were by the middle of the twelfth century spread across western Christendom and thus in a sense internal enemies as well. Peter's animosity toward these enemies – Jews included – was fierce.¹²

The key to undertaking the battles against heretics, Muslims, and Jews – for Peter the Venerable – was enhanced knowledge of these enemies. Thus, he was a zealous proponent of learning as much as possible of these antagonists through direct engagement with their own sources. Peter was anxious to amass rich information on the writings of Christian heretics, on Islam's Quran, and on Judaism's Oral Torah. With regard to Judaism, Peter's sources of information are not made clear by him, but it is widely agreed that he drew upon the evidence provided by converts from Judaism like Petrus Alfonsi – indeed perhaps Petrus Alfonsi himself. Peter's castigation of the Oral Torah follows very much along the lines sketched out earlier by the Spanish convert.

Peter the Venerable composed a lengthy and sharply worded attack on Judaism entitled *Adversus Iudeorum inveteratam duritiem* (*Against the Inveterate Obtuseness of the Jews*).¹³ The title itself is instructive. It suggests immediately Peter's bellicosity toward those whom he considered the enemies of Christianity in general and toward the Jewish enemy in particular. The treatise is clearly intended for Christian readers. The effort to highlight the negatives of Judaism is meant to reinforce Christians in their beliefs through a vigorous assault on the Jewish alternative. The highlighting of Jewish obtuseness focuses on the traditional Christian projection of Jewish thinking as superficial and carnal. To be sure, Peter the Venerable – like Petrus Alfonsi – moves well beyond these traditional anti-Jewish motifs. He introduces prominently new knowledge of the Jews' Oral Torah, probably – as noted – gleaned from converts like Petrus Alfonsi.

12 For a full and illuminating analysis of Peter the Venerable's vigorous animosity toward heretics, Jews, and Muslims, see Dominique Iogna-Prat, *Order and Exclusion: Cluny and Christendom Face Heresy, Judaism, and Islam (1000–1150)*, trans. Graham Robert Edwards (Ithaca, 2002).

13 Peter the Venerable, *Adversus Iudeorum inveteratam duritiem*, ed. Yvonne Friedman, *Corpus Christianorum Continuatio Mediaevalis* 58 (Turnhout, 1985).

Yvonne Friedman has provided a critical edition and careful analysis of Peter the Venerable's treatise against the Jews, showing that it was composed in two stages.¹⁴ In the first stage of his composition, Peter identified four major Christological teachings that Jews reject: that Christ was predicted to be the son of God, that Christ was predicted to be God, that Christ was predicted to be different from human kings, that Christ as predicted Messiah has already appeared. According to Peter, Jews have denied and continue to deny these four central tenets of Christianity; they have taken the opposite stance on each of these four critical issues. In Peter's view, these four Christian truths were clearly predicted in the Hebrew Bible, but Jews misread the crucial texts that foretell them. Thus, Peter sets out to make the correct reading of the biblical prophecies clear to his Jewish contemporaries or at least to his Christian readers. If his Jewish contemporaries fail to grasp these correct readings, then at least Christian readers can see how firmly their faith is anchored in scriptural prediction and thus how profoundly misguided their Jewish contemporaries are.

The truly innovative addition to Peter's treatise is the fifth chapter, in which he cites and attacks the Talmud. Peter's purpose was simple and primitive. The Jewish obtuseness he had been establishing by adducing compelling arguments for biblically grounded Christian truth was now reinforced considerably by bringing evidence from the Jews' own post-biblical tradition that exposed further – to Peter's mind – the intellectual disabilities that his Jewish contemporaries suffered. Very much like Petrus Alfonsi, Peter the Venerable argues that the Jews are incapable of reading correctly the biblical record of revelation and that the obtuseness that precludes correct reading of the biblical record is further reflected in the Jews' Oral Torah/Talmud, which exhibits the very same shortcomings.

Again like Petrus Alfonsi, Peter the Venerable assumes that reason is the criterion against which Christian and Jewish religious views are ultimately to be assessed. Peter the Venerable opens the fifth chapter of his treatise with vigorous denunciation of the Jews and the Talmud they venerate. He begins with the Jews.

O Jew! It seems to me that I have provided satisfaction on those issues that have been placed in question – through both [sacred] authorities and through reason – for any man. If indeed for any man, then likewise for you

14 See Friedman's introduction to her edition of Peter the Venerable, *Adversus*, vii–lxx.

– if in fact you are a man! Indeed, I dare not designate you a man, lest I lie. For I see that in you is extinguished, indeed buried, that which separates man from animals and beasts and raises man above them – reason.¹⁵

Peter announces confidently that he has laid out a full case for the truth of Christianity in the preceding four chapters and that the failure of his Jewish contemporaries to grasp these obvious Christian truths reveals these Jews to be less than human. This reflects the growing twelfth-century sense of Christianity as totally reasonable, thus stigmatizing those who deny Christian truth as thoroughly unreasonable. Since it is reason that raises humanity above the rest of the animal world, the Jews – by virtue of their inability to reason – reveal themselves to be less than human.¹⁶

Peter pillories not only his Jewish contemporaries; he turns the same vituperation upon the sacred literature of these Jews, the Talmud. He indicates that, in addition to his first four chapters, which he believes prove conclusively from the Hebrew Bible core truths of Christianity and the errors of the Jews, he will now in a fifth chapter highlight yet further the lack of reason on the part of the Jews.

I shall lead forth that monstrous beast from its lair and shall exhibit it in the view of all the world and in the sight of all peoples to be ridiculed. I shall present before all – O Jewish beast – that book of yours, your book, that Talmud of yours, that reprehensible doctrine of yours, which you prefer to the prophetic books and to all authentic teachings.¹⁷

The Jews and their Talmud are alike in their utter lack of reason, which is ultimately a reflection of the Jews' inhumanity.

Dominique Iogna-Prat, in his analysis of the fifth chapter of Peter's treatise, notes that it focuses on three major shortcomings of the Talmud: its demeaning, even blasphemous depiction of God; its ridiculous portrayal of the after-life; and its low moral standards. It is striking and probably no accident that the

15 Peter the Venerable, *Adversus Iudeorum inveteratam duritiem* 5.1–8, ed. Friedman, 125. The translations of Peter the Venerable here and in what follows are my own.

16 For a full study of the impact of the accelerating rationalism, see Anna Sapir Abulafia, *Christians and Jews in the Twelfth-Century Renaissance* (London, 1995).

17 Peter the Venerable, *Adversus Iudeorum inveteratam duritiem* 5.30–35, ed. Friedman, 125–126.

first two items in Peter's sense of the irrationality of the Talmud correspond precisely to the criticisms leveled by the former Jew Petrus Alfonsi. Such converts provided the basic information utilized by Peter the Venerable in his intense criticism of the Oral Torah, which was in fact inaccessible directly to Peter.

At the same time, Peter adds an important new element to the criticism of the Talmud. His Jewish contemporaries "prefer [the Talmud] to the prophetic books and to all authentic teachings." Here Peter strikes at the very heart of rabbinic Judaism. As we have seen, for Jews the Written Torah, which Peter would designate as the prophetic books, are complemented and supplemented by the Oral Torah, in the same ways as for Christians the Old Testament was complemented and supplemented by the New Testament. For both religious communities, it is precisely the combination of books that establishes God's will and plan. However, Peter the Venerable does not accept the Jewish sense of their two Torahs as a cohesive unit. For him, there is disjuncture, and the Jews demean the grandeur of the Written Torah by preferring the Oral Torah to it. The allegation is that Jews are disrespectful of God's word in preferring the teachings of the rabbis to the Written Torah. This charge – not documented by Peter the Venerable – will constitute one of the core allegations of the thirteenth-century assault on the Talmud.

At about the same time that Peter the Venerable was composing his polemical treatise against the Jews, the Second Crusade was in the process of being organized. As this new venture was incubating, there was full awareness in Church circles that the First Crusade in its early stages had produced utterly unexpected and illegitimate anti-Jewish violence in the Rhineland in 1096. Church leadership was determined to obviate any repetition of such violence, and the great spiritual figure behind the Second Crusade, Bernard of Clairvaux, regularly warned crusading warriors against inflicting harm on the Jews. Peter the Venerable as well was concerned with this issue, but from a somewhat different perspective.¹⁸

Peter wrote an important letter to King Louis VII of France about the impending crusade and the place of the Jews in it. Like Bernard of Clairvaux, Peter rejected the notion of inflicting physical harm on Jews, which – like Bernard – he saw as prohibited by Scripture. However, the crusade did involve the Jews, whom Peter identified as historic enemies of Christ and Christianity

18 For a contrast of the positions of the two powerful abbots, see Robert Chazan, *Medieval Stereotypes and Modern Antisemitism* (Berkeley, 1997), 41–52.

and contemporary enemies as well. Since Jews were – like Muslims – contemporary enemies, Peter argued to the king that, although Jews should be spared physical violence, they should not be left untouched by the sacred undertaking. As contemporary enemies, Jews – shielded from physical violence – should be forced to contribute their resources to the crusading venture.

The following is Peter's depiction of contemporary Jewish enmity:

The Saracens are to be detested, although they believe like us that Christ was born of a virgin and agree with us on many matters concerning him, because they deny that he is God and the son of God, which is more important, and deny his death and resurrection, in which the totality of our salvation lies. Thus, how much more are the Jews to be despised and hated, who, believing nothing concerning Christ and the Christian faith, reject, blaspheme, and deride that virgin birth and all the sacraments of human salvation.¹⁹

According to Peter, Jews are in fact worse than Muslims (against whom the crusade was being organized) in a double sense. Jews reject the totality of Christian belief, while Muslims accept some Christian views and reject others; moreover, Jews express their disagreement in active fashion, unceasingly deriding and blaspheming Christian beliefs.

Peter illustrates this alleged Jewish blasphemy in very graphic terms. He claims that a major Jewish economic activity is buying up stolen goods, which provides recurrent opportunity to abuse Christian sacred objects.

He [the thief] hands over the vessels of Christ's body and blood to those who killed him and spilled Christ's blood, who heaped contumely and injury upon him when he was among the living to the extent they could, and who now, as he is seated in the glory of eternal divinity, do not cease wounding him with verbal blasphemies to the extent that they dare. The sacred vessels, held captive among them as I have indicated, as in olden times [other sacred vessels were held captive] among the Chaldeans, suffer shame, even though they are inanimate. Indeed, Christ feels the Jewish abuse of these insensate vessels sacred to him.²⁰

19 Translation taken from *ibid.*, 49.

20 *Ibid.*, 51.

What is notable for our purposes is the fact that Peter does not connect his views of Jewish blasphemy with the Talmud. During the middle decades of the twelfth century, as knowledge of the Talmud was spreading in Christian Europe and as claims of Jewish blasphemy and eventually of Jewish murder of Christians were proliferating, the two themes were not yet combined. Suggesting that the Talmud itself actually condoned or even mandated anti-Christian actions was yet to come – one of the allegations leveled by yet another convert to Christianity who brought his knowledge of Judaism and its sources into the Christian sphere. This thirteenth-century convert – Nicholas Donin – represents a totally new chapter in the history of Christian awareness of the Talmud and in the implications of this new awareness.

Sources and Chronology

The assault on the Talmud of the 1230s and 1240s has left considerable data in its wake. As always, we might wish for more and clearer sources that would directly address our interests, but – given the usual standard of evidence for reconstructing thirteenth-century events – we should not complain too lengthily or too loudly. It is especially fortunate that the sources come from the two opposing camps – Christian and Jewish. Having these alternative perspectives to check against one another is extremely helpful.

The key Christian source for reconstructing the events of the 1230s and 1240s is the very rich Latin manuscript 16558 in the Bibliothèque nationale in Paris. Precisely who put together the disparate pieces in this manuscript is not known, but the collection of sources preserved therein is invaluable. The Dahan volume noted earlier provides a table of contents for the manuscript, which indicates *inter alia* some of its strange organization.²¹ For our immediate purpose of reconstructing the stages in the examination and condemnation of the Talmud, the following elements are the most significant:

1. The lengthy letter of Odo of Chateauroux, which reviews the events from 1239 through 1248. Odo embedded within his letter a series of important papal letters by Pope Gregory IX, responded negatively to the 1247 request of Pope Innocent IV for reconsideration of the sentence against the Talmud, and issued subsequently a forceful condem-

21 Dahan, *Le brûlement du Talmud*, 118–120.

nation of the Talmud. These documents plus two letters by Innocent IV not cited by Odo set the outline of the assault on the Talmud.²²

2. The thirty-five accusations leveled against the Talmud, which were probably composed by Nicholas Donin himself and are clearly related to the papal letters of 1239 that set the trial and condemnation of the Talmud in motion.²³
3. The purported “confessions” of two major northern French rabbis. These are obviously not formal stenographic records of the statements of these rabbis. Rather, they seem to be the notes of Christian observers interpreting the claims of the rabbis, who were in effect witnesses for the defense.²⁴
4. Two sets of talmudic materials translated into Latin by yet another learned convert, Theobald of Sézanne. One set is organized by issues and the other by tractates of the Talmud. Precisely how this material fit into the trial and condemnation is not at all clear. These two sets of materials do indicate, however, the fullness of information on the Talmud that was amassed during the late 1230s and the 1240s.

These diverse sources provide the basic framework of the events of the 1230s and 1240s.

- 22 All these documents were edited and translated by Solomon Grayzel, *The Church and the Jews in the XIIIth Century*, 2 vols. (Philadelphia and New York, 1933–1989), and re-edited by Merhavia, *Ha-Talmud be-Rei ha-Nazrut*, 446–452. The six papal letters were re-edited by Shlomo Simonsohn, *The Apostolic See and the Jews*, 8 vols. (Toronto, 1988–1991), 1: 171–174, 180–181, 196–197. All eight documents have been translated anew for this volume by Jean Hoff. They will be cited as Latin Letters, followed by the appropriate number.
- 23 These accusations were edited by Isidore Loeb, “La controverse de 1240 sur le Talmud,” *Revue des études juives* 2 (1881): 252–270 and 3 (1882): 39–55. They have been translated by Jean Hoff and will be cited as Latin Accusations, followed by the appropriate page number. Rosenthal, “The Talmud on Trial,” translated the accusation headings into English and provided the talmudic passages adduced by Nicholas Donin for each of the accusations.
- 24 These “confessions” were likewise edited by Loeb, “La controverse de 1240 sur le Talmud,” *Revue des études juives* 3 (1882): 55–57, re-edited by Merhavia, *Ha-Talmud be-Rei ha-Nazrut*, 453–455, and translated by Jean Hoff. They will be cited as Latin Confessions.

The assault on the Talmud began formally with a sequence of papal letters sent off by Pope Gregory IX in June of 1239. The pope dispatched two sets of formulaic letters, all of which began by leveling an identical series of charges against the Talmud. The addressees of the first set were the archbishops of the major European kingdoms, and the addressees of the second set were the major European monarchs.

In his letter to the archbishops, Pope Gregory IX orders the prelates to have copies of the Talmud seized throughout their archdioceses. These ecclesiastical figures were bidden to use two tactics to effect this seizure. The first was their power of excommunication, which was to be utilized against both clergy and laity; the second was the usual turn to the secular authorities in such matters. It seems likely that these were not in fact two tactics, but rather one. That is to say that the ecclesiastical authorities were to use their power of excommunication to move the secular authorities to seize the Jewish books. Where these secular authorities refused to cooperate (as was the case throughout most of Europe), no action eventuated; in France, where the secular authority was supportive, the campaign moved forward. The copies of the Talmud seized by the archbishops – with secular assistance – were to be turned over to the Dominican and Franciscan friars, ostensibly in the diverse archdioceses throughout Europe.²⁵

The letters addressed by Gregory IX to the monarchs of Europe begin with precisely the same accusations against the Talmud. Once again, Pope Gregory claims that these deeply disturbing allegations necessitated action. In this case, the pope orders the royal authorities directly to initiate the seizure of the Jewish books, which they – and indeed only they – had the power to do. Once more, the books thus seized were to be turned over to the Dominicans and Franciscans, again seemingly scattered throughout Europe.²⁶

The pope sent out two more letters as well, both of which differed markedly from the formulaic letters dispatched to Europe's archbishops and monarchs. The first was addressed to the bishop of Paris and made him the conduit through which the other letters were to pass. It identifies the bearer of the formulaic letters as Nicholas Donin, who is designated "our beloved son." The bishop of Paris was to examine the letters "which pertain to the matter of the books of the Jews that has been entrusted to you and your colleagues by us, ... and, when you see fit, to transmit the same addressed by us to our reverend

25 Latin Letters, no. 2, pp. 93–94.

26 Ibid., no. 3, pp. 94–95.

brother archbishops and to our dearest sons, the illustrious kings of France, England, Aragon, Navarre, Castile and Leon, and Portugal.”²⁷ Precisely why the bishop of Paris should have been made the conduit for the letters in this way is not entirely clear. In part, it strengthens the Tuilier suggestion that Donin was connected to Church institutions in Paris; it is also possible that this unique letter may reflect the papal understanding that the entire campaign would be centered in the French capital, broader pretensions notwithstanding.²⁸

The second unique letter was addressed to the bishop of Paris and to the leadership of the Paris Dominicans and Franciscans. It begins with the same set of allegations against the Talmud, but proceeds much further. Like the letter to the European archbishops, this new letter orders the addressees in Paris “to have all the Jews residing in the kingdom of France, England, Aragon, Navarre, Castile, Leon and Portugal compelled by the secular arm to produce all their books.”²⁹ This is a somewhat strange papal request. Since the pope had already instructed archbishops throughout Europe to use their ecclesiastical power to do precisely the same thing, it is difficult to see why he should have issued these instructions to the bishop of Paris and heads of the Paris Dominicans and Franciscans. Once again, this curious detail suggests the papal sense that the arena in which the issue of the Talmud would be resolved was to be the capital city of France and the site of its great university.

More important than the strange request to further the seizure of Jewish books were the papal instructions as to what was to be done with the seized books. “Those which you find to contain errors of this kind [the allegations specified in the opening paragraph of the two sets of formulaic letters and of this special letter] you shall have burned together in a bonfire, restraining those who refuse by ecclesiastical censures, without appeal.”³⁰ Noteworthy here is the papal indication of the projected outcome of the seizure of the Jewish books. They are to be investigated to ascertain if the accusations about them portrayed by the pope are true. If these allegations are in fact substantiated, then the books are to be burned at the stake.

Thus, Pope Gregory IX projected the possibility – even the likelihood – of extremely dire consequences being set in motion by the letters he was dispatching via Nicholas Donin. Indeed, the pope anticipates objections – surely

27 Ibid., no. 1, p. 93.

28 Tuilier, “La condamnation du Talmud.”

29 Latin Letters, no. 4, p. 95.

30 Ibid.

Christian objections, since the Jews would obviously oppose these actions – to the harsh and unprecedented step of burning the Talmud. These Christian objections would in all probability be rooted in the sense that long-standing rights of the Jews were being abrogated, that the status quo enjoyed by the Jews from time immemorial was being overturned (such objection did in fact materialize, as we shall see). Pope Gregory IX indicates that such possible objections are to be stifled by citing the papal roots of the actions – up to and including burning of the Talmud – and by utilizing ecclesiastical censure against the objectors.

In effect, these far-reaching papal orders were executed, at least to a significant extent. While there is no evidence of seizure of Jewish books throughout the major monarchies of western Christendom, there was at least some confiscation of Jewish books in royal France, although precisely how extensive this action was is not certain. The next step dictated by Pope Gregory IX was likewise carried out. A major investigation of the Talmud took place in Paris in 1240. We have two sources for this investigation – the Latin set of “confessions” already noted and a Jewish account that survives in an extended Hebrew narrative. As indicated, the Latin “confessions” are by no means precisely accurate reports of the statements of the rabbis/witnesses. They do, however, provide a useful perspective on the anti-Talmud proceedings in Paris, when combined with the Hebrew narrative, the papal accusations, and the thirty-five allegations seemingly compiled by Donin.³¹

The Hebrew narrative has come down to us in three versions, one of which is a mere fragment. These three versions have been carefully analyzed by Judah Galinsky, who convincingly suggests a chronological sequence. According to Galinsky, the brief Vatican fragment is the oldest of the three versions, the Moscow manuscript is next, and the Paris manuscript – which is the basis for

31 In a classic study, Yitzhak Baer contrasted the “disputations” in Paris in 1240 and in Barcelona in 1263 – “A Critique of the Disputations of R. Yehiel of Paris and of R. Moses ben Nahman” (Hebrew), *Tarbiz* 2 (1931): 172–187. Baer distinguished sharply and correctly between the two events, insisting that the former was a trial of the Talmud and the latter a missionizing endeavor. With regard to the former, Baer saw in the Latin “confessions” indication of a papal inquisitorial procedure. Subsequent scholars have rejected this view, since the full-blown papal inquisitorial procedures developed somewhat later. For subsequent scholars, the “confessions” are simply reports on what the two rabbis were alleged to have acknowledged in the course of their testimony. For more on this conclusion, see Galinsky, “The Different Hebrew Versions of the ‘Talmud Trial.’”

the printed version of the text – is the latest. As the versions become later, they also become less historically reliable in Galinsky's view, at least in their portrayal of the opening of the procedures. However, Galinsky indicates that the overwhelming majority of the material in the Moscow and Paris manuscripts is shared, which means that the Christian charges and the Jewish rebuttals are by and large the same in both. Thus, since the Paris manuscript forms the basis for the printed edition of the Hebrew narrative, the translation offered in this volume is based on the Paris manuscript and the printed edition prepared from it.³²

Like the Latin "confessions," the Hebrew narrative is also not a stenographic account of the Paris investigation of the Talmud. It too is very much a literary construct, which must be used with caution. However, once again, when combined with the other evidence just now noted, it provides a valuable alternative perspective on the Paris proceedings.³³ The author of the Hebrew narrative is identified at the end of the Paris manuscript as Rabbi Joseph ben Nathan of the Officiel family, known for his vigorous thirteenth-century polemical treatise against Christianity.³⁴ It is clear that the narrative was composed some years after the events themselves. Joseph ben Nathan indicates that both Rabbi Yehiel and a second rabbinic witness, Rabbi Judah ben David, had died in the interim between their testimony and the composition of the account. Once more, it is by combining the Hebrew narrative with the extant Latin sources that some sense of the case for the prosecution and the case for the defense can be reliably reconstructed.

32 On the three versions of the Hebrew narrative, see the Galinsky article. The Hebrew narrative – the *Vikuah Rabbenu Yehiel* – was edited by Samuel Grunbaum (Thorn, 1873) from the Paris manuscript. It has been translated for this volume by John Friedman on the basis of the Grunbaum edition and will be cited as "Disputation of Rabbi Yehiel," followed by the appropriate page number of this volume.

33 I have argued the need for historically accurate information in such narratives as the *Vikuah Rabbenu Yehiel*. Jews who were going to be confronted by parallel allegations had to be forewarned, and useful counter-arguments had to be sketched out for them. See Robert Chazan, "The Timebound and the Timeless: Medieval Jewish Narration of Events," *History and Memory* 6.1 (1994): 5–34.

34 The polemical treatise has been edited by Judah Rosenthal (Jerusalem, 1970). At the end of his edition, Rosenthal appended an edition of the author's closing note to the Hebrew 1240 narrative, which concludes with a flowery poem that embeds the name of the author as Joseph ben Nathan. This closing note comes at the end of the Friedman translation. Galinsky concludes that the version of the Hebrew narrative preserved in the Moscow manuscript is a prior recension of the Joseph ben Nathan composition.

The Paris trial took place in 1240, and it seems that the charges leveled against the Talmud were substantiated, at least to the satisfaction of the members of the ecclesiastical jury. Precisely what the charges were and which of the charges were deemed proven is not altogether clear and will be discussed in a subsequent section of this overview. According to the papal letter, if the accusations were proven accurate then the Talmud was to be burned, and such a consignment to the flames in fact took place in 1241 or 1242 and probably subsequently as well.³⁵

The delay between the condemnation in 1240 and the burning in 1241 or 1242 in all likelihood reflects the kinds of opposition envisioned by Pope Gregory IX in his letter to the bishop of Paris and the city's mendicants. Burning the Talmud represented a remarkable innovation, since this Jewish literature had been known to and permitted by the Church for many centuries prior to 1240. While there had been complaints against the Talmud, some of which we have already noted, even such a zealous figure as the twelfth-century Peter the Venerable had not gone so far as to suggest its elimination. It is very likely that the Jews of at least northern France had lodged strenuous complaints and that some of these complaints had seemed reasonable to key ecclesiastical leaders in Paris.

There is in fact one precious piece of evidence of such opposition. Thomas of Cantimpré, a student in Paris in the 1230s, included reflections on the trial and its aftermath in his *Bonum universale de apibus*. According to Thomas, in the wake of the confiscation of the Jewish books and the trial, Jewish leaders requested the return of their books. They were – curiously enough – supported by the archbishop of Sens, who was the highest ranking churchman involved in the Talmud proceedings. Supposedly, with the death of the prelate in 1241 the intercession came to an end, and the burning of the Talmud resulted.³⁶

The next stage in the unfolding drama is reflected in a letter of Pope Innocent IV, Gregory IX's successor, written specifically to King Louis IX of France in 1244. This lengthy letter reprises the prior allegations against the Talmud in

35 The precise dating of the initial burning of the Talmud has occasioned considerable study. The core problem is that the sources are unclear and diverge from one another. The fullest study by far of this dating is Rose, "When Was the Talmud Burnt at Paris?" In his title and throughout the essay, Rose suggests June 1241 as the date of this burning of the Talmud. However, his conclusions at the end of the essay are in fact considerably more tentative.

36 Thomas of Cantimpré, *Bonum universale de apibus* (Douai, 1627), 17–18. For a full translation of the passage, see Rose, "When Was the Talmud Burnt at Paris?" 329.

ways that will assist us in understanding more fully the charges brought against the Talmud and the grounds on which it was condemned. Innocent IV then depicts the steps taken against the Talmud. The pope notes the examination of the Talmud by the scholars of the university, their condemnation of the Talmud as containing terrible abuses, and the resultant burning of the Talmud. Innocent IV commends the French king for his assistance in this important endeavor: “[Y]ou, as a Catholic king and most Christian prince, supplied the appropriate aid and favor in this matter, for which we commend Your Royal Excellency to the Lord with deserved praises and bestow our thanks.”³⁷ This reinforces the suggestion that the anti-Talmud campaign, whatever the original scope projected, was in fact limited to royal France.

Despite the support of the pious king of France, the issue of the Talmud had not yet – from the perspective of Pope Innocent IV – been fully resolved. According to the pope, the Jews were continuing to commit their blasphemous abuses in France, which suggests that Innocent IV had learned of ongoing Jewish use of the Talmud. This might well mean that the investigation and resultant burning of the Talmud were relatively confined to the greater Paris area, with the Jews in the rest of the French kingdom continuing to use the condemned books. To be sure, no new investigation of the Talmud was required – since the 1240 decision was unambiguously negative – but Pope Innocent urges King Louis to continue to carry out the sentence originally envisioned by Pope Gregory and “order burned in a fire both the aforesaid books of abuses that were condemned by those same doctors [the university scholars of Paris] as well as all those without exception with their glosses that have been examined and condemned by the same, wherever they may be found throughout your kingdom.”³⁸ Most recent students of this affair have concluded that further burnings of the Talmud were in fact carried out, as demanded by the new pope.

Thus, by the mid-1240s, the Talmud had been decisively condemned by a Paris jury and had been subjected – it would seem – to multiple burnings in France. The emotional impact of these burnings on the Jews who witnessed them or were aware of them is reflected in the poetic lament of Rabbi Meir of Rothenberg, who as a student spent time in the French capital. The poetic imagery reflects, on the one hand, intense personal pain at the sight of the sacred pages of the Talmud going up in flames; at a more metaphysical level, the

37 Latin Letters, no. 5. p. 96.

38 Ibid., p. 97.

poet asks how the all-powerful God might have allowed such a sacrilege to take place.³⁹

Given Pope Innocent IV's intense pursuit of the anti-Talmud efforts launched by his predecessor, reflected in his 1244 letter, the papal change of heart revealed in the letter of 1247 is stunning. Writing in August 1247 to King Louis IX of France once again, the pontiff changed course dramatically. He begins his letter by noting the complex responsibility of his office: "Like the living creatures that John saw in the Apocalypse full of eyes in front and behind [Rev 4:6], the supreme pontiff, clear-sighted [and] surveying matters from all sides as one under obligation to wise and foolish alike, ought not to harm anyone unjustly but is justly bound to grant everyone his rights by carrying out what is just."⁴⁰ This curious apologia serves as the introduction to the striking papal change of heart and policy.

Innocent IV indicates that the Jewish leadership of France had been active in defense of the condemned Talmud. Basing themselves on long-established precedent, the rabbis of the French kingdom had addressed their case to the papal throne. They had argued "that without that book that in Hebrew is called the Talmud they are unable to understand the Bible and the other statutes of their Law in accordance with their faith."⁴¹ The rabbis had claimed in effect that the Talmud lay at the core of Jewish religious life, which is an argument reflected clearly in the Hebrew narrative. Indeed, the letters of Pope Gregory IX and the prior letter of Pope Innocent IV had acknowledged this reality as well. In the two sets of letters addressed to the archbishops and monarchs, Pope Gregory IX had noted specifically that the Talmud "is said to be the main reason that keeps the Jews stubborn in their perfidy" and had advanced this as one of the bases of the assault on it. Now, the rabbis argued that the Talmud was essential to their Jewishness, and Innocent IV saw this as grounds for reconsidering the condemnation of the book. Strange indeed.

The argument mounted by the rabbis as to the indispensability of the Talmud led the pope to describe the implications of this allegedly new awareness: "[W]e, who are bound according to divine commandment in that same Law to show tolerance to them, have thought fit to answer them that, just as we are unwilling to deprive them of the Law itself, so in consequence we are unwill-

39 This Hebrew dirge has been translated anew for this volume by John Friedman and will be cited as Hebrew Dirge.

40 Latin Letters, no. 6, p. 97.

41 Ibid.

ing to deprive them unjustly of their books.”⁴² What Innocent is pointing to here is the age-old Christian doctrine of toleration of the Jews *qua* Jews in Christian society. Recognition of the special requirements of Judaism and formal toleration of Judaism can be traced well back into pre-Christian antiquity; they were the cornerstone of Jewish status under pagan Roman rule, were ratified by Emperor Constantine at the point of his acceptance of Christianity, and were buttressed by the theoretical foundations provided by Augustine. Again, we have noted intense criticism of the Talmud by medieval Christian thinkers like Peter the Venerable, without any hint that it should be banned.

Nicholas Donin had brought to papal attention two claims: that the Talmud is a human contrivance that Jews honor above the genuine divine revelation of the Written Torah and is thus offensive to God and that the Talmud includes material that was intolerable in a Christian society, in that this material maligns Jesus and Mary and condones or even requires Jewish anti-Christian behaviors. To be sure, Gregory IX was well aware that there might be objection to these views, since they involve disruption of a well-established status quo regarding Jews and Judaism. Now, Pope Innocent IV, who had initially supported Gregory’s understanding of the Talmud and the steps taken against it, backtracked. He seems to have abandoned the sense of the Talmud as inherently offensive to God, while retaining the concern with intolerable anti-Christian material contained within it.

Pope Innocent IV was thus faced by the dilemma of conflicting principles. On the one hand, it was longstanding Church policy that Jews were to be permitted to live by their traditional law; on the other hand, it was also well-established doctrine that Jews must in no way malign or demean the ruling Christian faith or bring harm upon its adherents. His solution to the problem of conflicting principles was relatively simple. The intolerable material in the Talmud could be dealt with – according to Pope Innocent IV – in the following way: “Therefore [that is, in the light of the Jewish claims], we have sent a letter to our venerable brother, the bishop of Tusculum, legate of the Apostolic See, to the effect that he see to it that both [the Talmud] itself and other [books] are delivered up to him and inspected and, diligently inspecting the same, he tolerate them in those matters in which he sees that they ought to be tolerated in the sight of God without damage to the Christian faith and restore them to the aforesaid [Jewish] masters.”⁴³

⁴² Ibid.

⁴³ Ibid., p. 97–98.

In the view of Pope Innocent IV, the Talmud had been scrupulously examined by respected experts, faculty members of the University of Paris. It had been thoughtfully found guilty of some of the allegations first broached by Nicholas Donin – specifically the allegation of containing virulently anti-Christian material. Obviously, something significant had to be done. In the face of the totality of Nicholas Donin’s accusations, Innocent IV’s predecessor, Gregory IX, had stipulated all the way back in 1239 what he thought should be done. If the allegations were proven true, then the Talmud was to be consigned to the flames and of course prohibited to the Jews, notwithstanding well-established Jewish rights. Innocent IV was not challenging in 1247 Gregory’s concerns or his call to investigate the Talmud. He was challenging, however, one major finding of the Paris jury, which involved acceptance of the Donin charge that the Talmud was inherently disrespectful toward God. The remaining substantiated accusation of anti-Christian material could be dealt with through censorship, which would simultaneously maintain the traditional rights of Jews in Christian society and effectively protect Christian society against damage inflicted by its Jews.

Compromises often make a great deal of sense; they also tend to evoke serious criticism. Innocent IV’s compromise seems reasonable, in that it addresses both sets of concerns – the Christian and the Jewish. Again, we recall that Gregory IX himself had anticipated Christian objections to the burning of the Talmud. Innocent IV likewise anticipated objections to his compromise and ordered the same steps that Gregory had. Describing the projected return of large portions of the Jewish books, Innocent indicates that this should be done by “restraining those who object by ecclesiastical censure without appeal.”⁴⁴ In addition, the pope wrote to the pious king of France, a strong supporter of the anti-Talmud effort, in order to ensure that he would be agreeable to the new and more moderate stance he was proposing with respect to the Talmud.

In fact, the shift in papal stance elicited the kind of objections that compromises usually do, especially in the Paris Church circles in which the anti-Talmud campaign had been successfully pursued. The pope had addressed the important Odo of Chateauroux, formerly chancellor of the University of Paris and now a papal legate, to initiate the new ameliorative steps with respect to the Talmud. Odo’s reply – which constitutes a very important element in the Latin manuscript discussed above – reflects considerable indignation. His letter is really a carefully constructed argument intended to show the error of the new

44 Latin Letters, no. 6, p. 98.

papal position. Odo's case is extensive and multi-faceted, carefully organized to demolish the papal argument and plan.

Odo opens his case by detailing the history of the assault on the Talmud, beginning with the allegations of Nicholas Donin, which Odo reiterates. In order to buttress his reconstruction of the anti-Talmud campaign, Odo cites all the letters of Pope Gregory IX. Especially important is the papal letter to the bishop of Paris and the leadership of the Dominicans and Franciscans, which overtly specifies burning of the Talmud if it were found guilty of the allegations against it. Pope Gregory IX, who had set the campaign in motion, had indicated clearly what the closing step in the anti-Talmud campaign should be, and Odo urges that it would be presumptuous of anyone – including Gregory's successor – to alter the course that Gregory had prescribed.

The steps ordered by Pope Gregory IX had been faithfully carried out, and Odo specifies these steps: "And far more things [than alleged by Donin] were found in the aforesaid books in the presence of Walter of good memory, archbishop of Sens [recall his purported role in delaying the burning of the Talmud after the tribunal's guilty verdict], and the venerable fathers, the bishops of Paris and Senlis, and Brother Godfried of Blevel, your chaplain, the then-regent in Paris, and other masters of theology and even the masters of the Jews, who admitted in the presence of these men that the aforesaid matters were contained in their books."⁴⁵ The stipulated procedures had been followed, the Talmud had been found guilty, and the punishment specified by Gregory – burning of the Talmud – had been imposed. No alteration in policy was appropriate, meaning that Innocent IV's request for reexamination and return of parts of the Talmud was inappropriate and mistaken.

Odo then proceeds further and attempts to show precisely how Innocent IV had been duped by the Jews. They had claimed – according to Innocent IV – that, without the Talmud, they could not practice their religious faith. Odo rejects this argument, on the basis of the careful examination of the Talmud carried out in Paris. According to Odo, as the result of the Paris investigation "it was found that the said books were full of errors, and a veil has been placed over their hearts to such an extent that these works turn the Jews away not only from a spiritual understanding but even from a literal one and toward fables and fictions. Hence it is obvious that the masters of the Jews of the kingdom of France recently uttered a falsehood to Your Holiness and the venerable fathers, the lord cardinals, when they said that they are unable to understand the Bible

45 Ibid., no. 7, p. 99.

and other provisions of their Law according to their faith without those books that are called in Hebrew the Talmud.”⁴⁶

Odo’s point is complex. In effect, he argues that the Talmud does not clarify the Bible and Jewish law, as the Jews claim; rather, it in fact obfuscates the Bible and Jewish law. To be sure, Christians had long claimed that Jews did not truly understand the Hebrew Bible, because they focused on its literal and material meanings. Odo notes this traditional Christian critique, but sets it aside. This is not the point he is making. Rather, he argues – interestingly – that the Talmud impedes even a literal grasp of the Bible and of the genuine obligations of even literalist Jewish religious practice. Odo is careful in noting that the Jews “uttered a falsehood” to Pope Innocent IV. He is not suggesting that the Jewish leaders of France were consciously lying when they advanced their claim to the pope. Rather, he is suggesting that the Jewish claim – advanced sincerely by the Jews – is actually incorrect. Careful investigation of the Talmud in Paris – according to Odo – revealed the error of this Jewish perception. Jews misguidedly view the Talmud as the interpretation of biblical truth. The Jewish teachers in France misled the pope in claiming that they need the Talmud in order to understand the Bible and their biblically grounded religious obligations, since the Talmud was revealed by the Paris investigation to constitute a distortion, not an interpretation of even literal biblical truth.

Thus, in arguing Innocent IV’s error, Odo points first to the history of the campaign, which was intended from the outset to end in burning of the guilty Talmud, and then proceeds to explain the fallacious nature of the Jewish argumentation. This did not, however, constitute the whole of his lengthy argument. In addition, Odo also addressed the clever ploy of Innocent and pointed out that it constituted a doctrinal error. According to Odo, returning the Talmud to the Jews would obviously imply approval of it – a statement that the Talmud is ultimately tolerable. This – insists Odo – is a monumental error, which flies in the face of traditional Christian teaching, as expressed by the great figures of Christian antiquity.

To be sure, there are a few good teachings in the Talmud, but this reality does not justify returning the books to the Jews: “Speaking of the lepers whom the Lord cured, blessed Jerome says that no teaching is so perverse that it does not contain some truth; similarly no heretics are found who do not hold sound views on some part of the Creed.”⁴⁷ This point is interesting from a number of

46 Latin Letters, no. 7, p. 99.

47 Ibid., pp. 99–100.

points of view. In the first place, the comparison of the Jews to lepers and heretics is fascinating. A great deal of research over the past few decades has focused on the accelerating intolerance of twelfth- and thirteenth-century Europe. Especially important in this respect are the efforts of R.I. Moore and Dominique Iogna-Prat.⁴⁸ Iogna-Prat highlights, as we have seen, Cluny and Peter the Venerable, with their concatenation of the Jews with internal heretical and external Muslim enemies. Moore proceeds even further, noting the twelfth-century tendency to conflate Jews with internal European heretics, lepers, prostitutes, and gay people. Thus, in citing lepers and heretics, Odo is keying into well-established motifs. The point of these comparisons is to augment the fears associated with any one of these groupings by making it part of a larger threatening coalition.

Odo does more than simply heighten Christian anxiety by lumping the Jews with lepers and heretics. He also presents a theoretical point. Every erroneous doctrine – even the most reprehensible – has some redeeming features. Nonetheless, erroneous doctrines are dangerous and intolerable, despite occasional nuggets of truth: “Nonetheless, because some books had errors in them, even though they contained much that is good and true, they were still condemned by the authority of the Councils; likewise various heretics have been condemned even though they did not err in every regard. Thus, although the aforesaid books contain some good things, although few and far between, they must be utterly condemned.”⁴⁹ Odo is not claiming here that Judaism is heresy; his statement adduces heresy as an illuminating parallel, quite distinct from the error-ridden Talmud. Odo claims that, just as in the case of heresy, the errors of heretics require destruction and prohibition of their literature, the Paris tribunal in condemning the Talmud had concluded that the same is true for the Oral Torah of the Jews.⁵⁰

48 R.I. Moore, *The Formation of a Persecuting Society: Authority and Deviance in Western Europe, 950–1250*, 2nd ed. (Oxford, 2007); Iogna-Prat, *Order and Exclusion*.

49 Latin Letters, no. 7, p. 100.

50 Cohen, in *Living Letters of the Law*, entitled his important chapter on the thirteenth-century assault on the Talmud “Judaism as Heresy: Thirteenth-Century Churchmen and the Talmud” and portrayed the thirteenth-century Christian sense of the Talmud as heresy throughout. Odo’s adducing the literature of the heretics as an illuminating parallel to the Talmud suggests that Odo did not in fact see the Talmud as fitting into the category of heresy. While the parallels between heresy and the Talmud were and are instructive, so too are the differences.

Odo's case is lengthy and full. He begins by pointing to the complex program set in motion by Innocent's predecessor. Every step outlined by Gregory IX had been scrupulously undertaken, culminating in the burning and prohibition of the Talmud. The Jewish case advanced to Innocent IV, which lies at the core of the latter's call for reexamination of the Talmud and a new set of actions, is grounded in Jewish misunderstanding of the nature of the Talmud, which is not in fact a set of prescriptions that enable the Jews to carry out their religious obligations. Finally, on doctrinal grounds, the Jewish books – like the books of heretics – are inherently infected with error and returning them to the Jews is simply a mistake. Odo makes a powerful case against the amelioration decreed by Pope Innocent in his thinking of 1247.

We unfortunately are not privy to the response of Pope Innocent IV to the lengthy statement and case presented by his legate, Odo of Chateauroux. The only remaining piece of evidence for the campaign initiated by Gregory IX in 1239 is a formal condemnation of the Talmud enacted by Odo in mid-1248. This condemnation was the result of a new commission of forty-four scholars convened by Odo in response to the papal letter of 1247. Innocent IV had ordered a reexamination of the Talmud, and Odo scrupulously fulfilled that element in the papal order – the Talmud was reexamined. The second part of the papal command of 1247 – return of much of the Talmud to the Jews – was vigorously rebuffed by the new commission.

In rejecting the order to return portions of the Talmud to the Jews, the assembled commission did not invoke overtly the elaborate case advanced by Odo directly to the pope. The refusal to return the books to the Jews was grounded simply in the reexamination of the Talmud itself: “[W]e found them to contain innumerable errors, insults, and offensive things that are a source of shame to those who repeat them and horror to those who hear them, to such a degree that the aforesaid books cannot be tolerated in the sight of God without damage to the Christian faith.”⁵¹ Striking here is the invocation of much of the language of the initial 1239 letters of Gregory IX. This may be an implicit reference to the initial claim of Odo that returning the books to the Jews would subvert the plan announced by Gregory at the outset of the campaign. In a more direct fashion, the condemnation of 1248 argues that the harmfulness of the Talmud is such that it can simply not be tolerated in Christian society and thus it cannot be returned to the Jews, as Pope Innocent IV had suggested.

51 Latin Letters, no. 8, p. 100.

This is the final step of which we know in the extended campaign that opened in 1239 with the dispatch of the initial papal letters. At a later point in this overview, we will address the broader aftermath of the condemnation and burning of the Talmud. At this point, we have examined closely the sources for the 1239–1248 anti-Talmud activities set in motion by Pope Gregory IX and the stages in the development of the assault on rabbinic literature, which seems to have been confined largely to the Paris area. It was in Paris that the Talmud was investigated, condemned, burned, reinvestigated, and then vigorously condemned once again. During this period, the new pope had a change of heart, which was rejected by the Paris ecclesiastical leadership. What the papal change of heart and its rejection by the second Paris tribunal meant for the larger European scene will be discussed at a later juncture. For the moment, we shall remain focused on the events in Paris, examining further the trial of the Talmud by identifying the *dramatis personae* and analyzing the case for the prosecution and the case for the defense.

Dramatis Personae

Moving from the larger canvas to the more specific figures that dominated the trial and condemnation of the Talmud in the 1230s and 1240s, we encounter a multitude of personalities, some well known, some lesser known, some shadowy. These include two popes, Gregory IX and Innocent IV; the leading scholars of the rapidly developing University of Paris, especially its chancellor Odo of Chateauroux; the still young King Louis IX of France and his mother, the former destined for greatness in both the political and religious spheres; and a number of the major rabbinic luminaries of early-thirteenth-century northern France. All these figures are known to a greater or lesser extent. Surely, however, the most important figure of all is the southern French convert from Judaism known as Nicholas Donin, about whom we know next to nothing.

Let us begin with the key ecclesiastical figures associated with the trial and condemnation of the Talmud: Pope Gregory IX, Pope Innocent IV, and Odo of Chateauroux. Pope Gregory IX stood at the head of the Church when Nicholas Donin presented his anti-Talmud allegations to the papal court. The papacy to which Gregory IX succeeded in his seventies in 1227 was a new-style papacy, shaped by the powerful Innocent III, who sat on the papal throne from 1198 through 1216. A vigorous and combative figure, Pope Innocent III was immersed throughout his pontificate in the complexities of European politics, especially as they impinged on Italy, injecting the papacy into the ongoing quar-

rels among Europe's leading secular rulers. At the same time, he extended the ecclesiastical power of his office in multiple ways. He was deeply committed to crusading, was equally zealous in battling the threat of heresy, and recognized the Franciscans as the first mendicant order, in the process creating a powerful new force in the Church and a potent new ally for the papal throne. Innocent's crowning achievement was his convening of the Fourth Lateran Council in 1215. While centered on plans for a new crusade and the suppression of heresy, the council also addressed the issue of Europe's Jews, reinforcing old limitations on Jewish life, introducing distinguishing garb as an innovative vehicle for minimizing Jewish influence on Christian neighbors, and addressing the new concern of Jewish usury.

Pope Gregory IX's papacy was in many ways shaped by the achievements and failures of Innocent III. Gregory IX as well was caught up in the vicissitudes of European political life, especially through his ever-changing relations with Emperor Frederick II. He too was deeply committed to the crusading enterprise and to the war against heretics. While he did not seemingly seek a new front in relating to Europe's Jews, he was confronted with disturbing allegations about them, presented at the papal court by a knowledgeable convert from Judaism. Faced with these allegations, Pope Gregory IX reacted vigorously, initiating the innovative campaign against the Talmud.

It is tempting, but erroneous to see in Gregory IX's reaction to the Donin accusations evidence of a Church leader who was consistently anti-Jewish in his actions and thinking. Above all else, Pope Gregory IX was profoundly committed to the enforcement of Church policy – in general and vis-à-vis the Jews in particular. Thus, he expressed himself regularly on a series of traditional ecclesiastical issues that had negative impact on the Jews. These issues included the prohibition of Jews holding public office, which he felt was being recurrently contravened in some areas of western Christendom; the responsibility of Jews for continuing to pay church tithes on property taken over from Christians; the suspension of interest on Jewish loans made to crusaders; and the Jews' wearing of the distinguishing garb decreed by the Fourth Lateran Council, which he believed was often neglected by secular authorities.

Nonetheless, Pope Gregory IX's insistence on the scrupulous observance of traditional ecclesiastical policy toward the Jews on occasion worked to the Jews' advantage. Thus, in 1233, Gregory addressed a papal letter to the archbishops and bishops of France, detailing the persecution of Jewish lenders by some of the barons of the French kingdom. The portrait of Jewish suffering is graphic and highly sympathetic and concludes on the following strong note:

We order ... that you make every effort carefully, in our name, to warn all the faithful Christians in your dioceses and to induce them not to harm the Jews in their persons, nor to dare rob them of their property, nor, for the sake of plunder, to drive them from their lands, without some reasonable cause or clear guilt on their part, but rather to permit them to live in pursuance of their laws and their former status, as long as they do not presume to insult the Christian Faith ... Such kindness must be shown to Jews by Christians, as we hope might be shown to Christians who live in pagan lands.⁵²

Crusading regularly bore the potential for arousing anti-Jewish animus. From the Second Crusade onward, the ecclesiastical leaders of the organized crusades consistently proscribed anti-Jewish violence, and thus the organized crusades exhibited little such violence. Popular crusades, which have made only minimal appearance in the historical record, are quite a different story. Lack of organization and of strong ecclesiastical leadership often combined to set the stage for popular excesses. One such instance of a popular crusading assault on Jews erupted in western France in 1236, with many Jewish casualties. We would in fact know almost nothing of this violence were it not for the 1236 letter of Pope Gregory IX to the archbishops and bishops of southwestern France, in which he details the violence and strongly condemns it.⁵³

Pope Gregory's letter begins with reference to "a tearful and pitiful complaint from the Jews who live in the kingdom of France." The papal description of this complaint is copiously detailed in its portrayal of Jewish suffering and highly sympathetic to these Jewish victims. Gregory's castigation of the crusader excesses is unequivocal, and he ends on a firm practical note:

Therefore, lest such great temerity if unpunished continue to injure still others, we command that each one of you force the inhabitants of your dioceses who commit such excesses to bring proper satisfaction for the crimes perpetrated against the Jews and for the property stolen from them. After giving due warning, you may use ecclesiastical punishment without appeal.⁵⁴

52 Grayzel, *The Church and the Jews*, 1: 200–203, no. 70; punctuation amended.

53 Note the reference to this crusader violence and Jewish suffering made by Nicholas Donin as indicated in the next section.

54 Grayzel, *The Church and the Jews*, 1: 227–229, no. 87; punctuation amended.

Pope Gregory IX was, above all else, committed to maintenance of Church law and discipline. On occasion, this commitment worked to the disadvantage of Europe's Jews; on occasion, it worked to their advantage.

The assault on the Talmud set in motion by Gregory's response to the Donin allegations seems to constitute a major innovation in papal policy, but in fact it was both traditional and innovative at the same time. Let us recall the key closing elements in Gregory's 1233 letter condemning the abuse by French barons of their Jews. He orders that the French barons "permit them [their Jews] to live in pursuance of their laws and their former status, so long as they not presume to insult the Christian faith." According to the pope, Jews were to be allowed to live according to Jewish law – that is to say the Talmud – *so long as* they do not insult the Christian faith. Embedded in this sentence are two traditional elements in Church policy – the right of Jews to live according to Jewish law and the prohibition of insulting the Christian faith.

Gregory IX, in setting in motion the trial and condemnation of the Talmud, was expressing a traditional Church concern – that Jews not disparage the ruling faith. The key innovative element in the assault on the Talmud was Nicholas Donin's claim that the Oral Torah itself included serious insult to the Christian faith. We recall that Peter the Venerable did not link Jewish anti-Christian sentiment, which he highlighted in his letter to King Louis VII of France, with the Talmud, which he castigated in his polemical treatise. Now, Nicholas Donin drew the connection. The innovative assault on the Talmud was grounded in a combination of traditional ecclesiastical policy and radically new information on the Talmud, provided by Nicholas Donin. As we shall see, the attack on the Talmud also involved a new sense of the Talmud as a human work that constituted a deviation from the genuine divine revelation delivered by God to Moses.

Pope Innocent IV followed along the major lines of the papacies of Innocent III and Gregory IX. With respect to the Jews, he too was committed, like his predecessor, to maintenance of traditional ecclesiastical principles and policies – those detrimental to Jewish interests and those positive toward Jewish interests. Strikingly, with respect to the campaign against the Talmud, Pope Innocent IV broke with the radical policy that had been set in motion by Gregory IX, had been pursued by the Paris jury that investigated the charges made by Nicholas Donin, and had been executed by the French royal authorities. Innocent IV did not dispute many of the negative findings of the Paris jury and did not deny the need to take action. His disagreement with Gregory IX, the Paris ecclesiastics, and the French royal authorities involved two elements. First,

he was led by the intervention of the rabbis of northern France to accept their claim that without the Talmud they could not practice Judaism, thus implicitly dismissing the allegation that the Talmud was inherently disrespectful toward God. While he accepted the Paris jury's conclusion that the Talmud contained anti-Christian materials, he concluded that this problem could be adequately addressed by censorship. Whereas Gregory and the Paris jury had decreed destruction and prohibition of the Talmud, Innocent IV suggested that the traditional Church permission for Jews to live by the Talmud and the prohibition of Jewish blasphemy could both be accommodated by censorship of the Talmud – a clever compromise that did not find favor with the Paris ecclesiastical hierarchy.

The key figure in the Paris hierarchy was Odo of Chateauroux – a multi-talented scholar and diplomat. Odo served as chancellor of the University of Paris from 1238 through 1244, which is precisely the period of the trial and condemnation of the Talmud. In 1244, he was made a cardinal-bishop and papal legate, and in 1248 he left France to join King Louis IX on his first crusading effort. Thus, Odo was involved in a natural way in the initial trial and condemnation of the Talmud, was addressed by Pope Innocent IV when the latter sought to soften the sentence imposed on the Talmud, and was close enough to the papal court and the royal court in France to stand firm against this papal effort. Few high-ranking ecclesiastics would have been in such a special position.

Before turning to the rabbis and Nicholas Donin, let us briefly examine the key – indeed the only – secular authorities involved in the trial and condemnation of the Talmud – the pious King Louis IX of France and his powerful mother, Blanche of Castille. There is a curious discrepancy between the Christian and Jewish sources with respect to the dominant political figure in the assault on the Talmud. The papal letters are addressed to King Louis IX, laud him for his activist role, and urge one or another policy upon him. On the other hand, Louis is entirely absent from the Hebrew account of the judicial proceedings in Paris. It is his mother who appears as the key secular authority during the interrogation of Rabbi Yehiel and the figure to whom the rabbi recurrently turns. To be sure, this discrepancy hardly requires resolution. It makes perfect sense that the popes communicated with the king of France, but there is no reason to question Louis's deputizing his mother to represent him at the trial of the Talmud. Even after he came of age in the 1230s, Louis continued to depend on his mother for advice and regularly delegated important responsibilities to her.

Blanche of Castille was from the death of her husband Louis VIII in 1226 down to her own death in 1252 a dominant figure in the royal court in Paris. She served as regent during the minority of her son Louis IX and is credited with steering a responsible course during this dangerous period. Blanche is also renowned for her religiosity, and her influence on the religious values and behaviors of her saintly son is widely acknowledged. In the Hebrew narrative account of the 1240 trial, Blanche appears regularly. According to this account, she seems to have exercised considerable power during the proceedings. Interestingly, Rabbi Yehiel – the key Jewish spokesman during the proceedings – turns repeatedly to Blanche, ostensibly in anticipation of her support. Indeed, she is regularly portrayed as sympathetic to him and his requests in the Hebrew narrative.

Like Pope Gregory IX, King Louis IX as well was profoundly influenced by a late-twelfth-/early-thirteenth-century predecessor. In Louis's case, the predecessor was his grandfather Philip Augustus, who during a reign of more than forty years radically expanded the dimensions and power of the French monarchy. Louis – with considerable assistance from his mother – absorbed and stabilized the new territories acquired by his grandfather and markedly improved the governance of the radically expanded French kingdom. The one area in which Louis added his own innovativeness to the history of the French monarchy lay in his deep commitment to the Church and its policies. He was revered in his lifetime and thereafter for his political successes and – even more – for his steadfast commitment to the Church and its programs. He was a zealous crusader and an equally intense persecutor of heretics.⁵⁵

With respect to the Jews of France, Louis IX was consistently in the vanguard of the innovative ecclesiastical policies that sought to limit Jewish economic and religious life. Louis embraced the most radical positions articulated by Church thinkers on the vexing issue of Jewish usury, eventually outlawing it altogether. With respect to the Talmud, Louis was the only European monarch to respond to the papal call by confiscating the Jewish books and putting the Talmud on trial, as requested. Moreover, when Pope Innocent IV urged a re-inspection of the Talmud, with offensive materials excised and the rest of the Talmud returned to the Jews, Louis – on the recommendation of Odo and

55 For a remarkably detailed and multi-faceted portrait of King Louis IX, see Jacques Le Goff, *Saint Louis*, trans. Gareth Evan Gollrad (Notre Dame, 2009). In the course of reconstructing the biography of St Louis, Le Goff necessarily addressed the attitudes and activities of his mother Blanche as well.

the scholars of Paris – refused to do so. Instead, he and his Capetian successors thereafter regularly prohibited the Talmud altogether.⁵⁶

The radical nature of the positions taken by King Louis IX probably reflects in some measure the nature of the specific ecclesiastical advisors with whom he surrounded himself, especially the mendicants associated with the University of Paris. At the same time, there is evidence that Louis bore a visceral hostility toward Jews that in all likelihood affected the direction of his policies. Louis's biographer John of Joinville reports a very striking tale told by his hero. The story recounted by the monarch involves an invitation extended by the abbey of Cluny to a group of Jews to come and debate religious issues. Given the nature of Cluny, this was in all likelihood not a free-flowing discussion of religious issues, but rather – as was common at this time – a controlled disputation in which Jews were subjected to Christian claims and then permitted to respond.⁵⁷

According to King Louis, an elderly and disabled knight, who walked with the aid of a crutch, asked for and received reluctant permission to pose the first question. He then asked the spokesman for the Jews if he believed in the Virgin Birth. When the Jew replied that he did not, the elderly knight admonished him for entering the church as a disbeliever and smote him with his crutch, moving the entire group of Jews to flee. Rebuked by the abbot for this action, the knight in turn chastised the abbot for inviting the Jews and thus setting up circumstances in which Christians might hear Jewish views and be influenced by them. Striking here is the king's taking the side of the knight over the position of the abbot of Cluny.⁵⁸

Louis's recital of this tale, with its admiration for the elderly knight, is illuminating. In effect, the monarch praises actions that involved violence perpetrated in a church on a group of Jews invited (or perhaps even coerced) into it, and this on the part of a monarch renowned for his commitment to peaceful resolution of conflict. Again, this reflects a radical stance on the monarch's part when the issue of Jews was involved. Indeed, the king went further, concluding

56 For important observations on Louis IX and the Jews, see idem, "Saint Louis et les juifs," in *Le brûlement du Talmud*, 39–46; Robert Chazan, *Medieval Jewry in Northern France: A Political and Social History* (Baltimore, 1973), 100–153; and William Chester Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last Capetians* (Philadelphia, 1989), 128–150.

57 For an overview of such forced disputations, see Robert Chazan, *Daggers of Faith: Thirteenth-Century Christian Missionizing and the Jewish Response* (Berkeley, 1989).

58 John of Joinville, *The Life of St. Louis*, trans. René Hague (New York, 1955), 35–36.

his story with the following advice: “I agree myself,” said the king, “that no one who is not a very learned clerk should argue with them [the Jews]. A layman, as soon as he hears the Christian faith maligned, should defend it only by the sword, with a good thrust in the belly, as far as the sword will go.”⁵⁹ When it came to the Jews, Louis was hardly the careful and compassionate monarch; rather, he was inclined to radically anti-Jewish positions and actions.

By 1240, the relatively young Jewish community of northern France (whose origins, as we have seen, go back only to the turn of the millennium) had evolved into the center of extensive and innovative study of the Oral Torah. Beginning toward the end of the eleventh century, the remarkable Talmud commentary of Solomon ben Isaac of Troyes (Rashi) had paved the way for a new school of Talmud exegesis, dubbed the Tosafists or those who add, in acknowledgement of the path-breaking role of Rashi. The trial and condemnation of the Talmud involved a number of major scholars of this new school, who were called as witnesses on behalf of the Talmud. The Hebrew narrative identifies four such scholars: Rabbi Judah ben David of Melun, Rabbi Samuel ben Solomon of Falaise, Rabbi Yehiel ben Joseph of Paris, and Rabbi Moses ben Jacob of Coucy.⁶⁰ Of these, the one whose impact on Jewish literary history was most profound was Rabbi Moses of Coucy, whose *Sefer Mitzvot Gadol* was of lasting significance.

However, despite acknowledgement of these four distinguished witnesses, the sources cite in detail only two – Rabbi Yehiel of Paris and Rabbi Judah ben David of Melun. Both are depicted by a Christian author as making important “confessions.”⁶¹ When we turn to the Hebrew narrative, it features only Rabbi Yehiel. The length of the Latin “confession” attributed to him and his dominant place in the Hebrew narrative suggest that he was the leading Jewish spokesman. Why this was the case is not altogether clear. One factor may well have been his living in Paris, which in all likelihood provided familiarity with the clergy assembled in the capital city. In the Hebrew narrative, Rabbi Yehiel is made to absolve himself of shortcomings early on in the proceedings and to insist that he is not the most learned of the Jewish witnesses. Rather, he claims

59 John of Joinville, *Life of St. Louis*, trans. Hague, 36.

60 For a sense of the achievements of the northern French school of Talmudists to which these scholars belonged, see Fishman, *Becoming the People of the Talmud*, 141–152.

61 Rabbi Yehiel is designated as Vivo in the Latin “confessions.” Northern French Jews often carried double names, one in French and one in Hebrew.

that he is “the youngest of all of them,” but notes that “they are not experienced in appearing before the clergy as am I.”⁶²

Notwithstanding the renown of Pope Gregory IX, Pope Innocent IV, Odo of Chateauroux, Blanche of Castille, King Louis IX, and the rabbinic elite of northern France, the key figure in the trial and condemnation of the Talmud was undoubtedly the convert, Nicholas Donin, with his unprecedented claims about the Talmud. Unlike Petrus Alfonsi, who left a broad set of writings to posterity, Nicholas seems to have left us almost nothing from his own pen. The one possible piece of his writing may well be the thirty-five charges against the Talmud, which formed the foundation for the papally sponsored trial in Paris. However, these allegations – if indeed they were composed simply by Donin himself – reveal nothing of his personality. What they do suggest is a carefully organized mind, with the ability to formulate major claims against the Talmud and the capacity to identify multiple talmudic passages to illustrate these claims. Nicholas Donin, who ostensibly grew up in one of the Jewish communities of southern France, seemingly mastered large sections of the Talmud well in his student days. What moved him to use this knowledge to attack the Talmud and to press for its destruction is not illuminated whatsoever in this prosecutorial document.

The Christian sources for the trial and condemnation of the Talmud are – not surprisingly – very positive about Nicholas Donin. The papal letters tell us nothing of substance about him; Pope Gregory IX simply identifies him as “our beloved son, Nicholas, a former Jew.” What Donin’s credentials were and how he had been able to reach the papal court and attract the ear of the pope himself is not indicated. André Tuilier has advanced the very intriguing suggestion that Donin had established some kind of connection with the Paris mendicants.⁶³ Tuilier’s suggestion is grounded in two considerations. The first is the emphasis among the Paris Franciscans on the Bible, which leads Tuilier to suspect that Donin might have been influenced by this emphasis in attacking the Talmud or at least have found this environment congenial to his anti-Talmud proclivities. A second consideration for Tuilier is that so much of the actual anti-Talmud activity was channeled through the Paris mendicants, which makes a prior connection between them and Nicholas Donin reasonable. Since we are so ill informed as to the specifics of Donin’s prior activity and thinking and

62 Disputation, p. 133.

63 Note again the Tuilier article in *Le brûlement du Talmud*.

his turn against the Talmud, Tuilier's interesting speculation must remain plausible, but uncertain.

The prologue to the thirty-five accusations leveled against the Talmud is a bit fuller. There, Donin is described as "a man very learned in Hebrew even according to the testimony of the Jews, so much so that one would scarcely find anyone like him in the nature and grammar of the Hebrew language."⁶⁴ While this seems a bit hyperbolic, the basic claim of linguistic and philological ability on Donin's part and thus his full access to the talmudic corpus seems reasonable. If the thirty-five anti-Talmud accusations were composed by Donin, then he was in fact well versed in the Oral Torah. Once more, however, these flattering observations in no way clarify for us why such an expert in Hebrew and Jewish texts would have chosen to attack them in the innovative way that Donin did.

Again not surprisingly, the Jewish sources for the trial and condemnation of the Talmud are highly critical of Nicholas Donin. The Hebrew narrative account of the trial regularly denigrates Donin with derogatory epithets. The two most common epithets used by the Jewish author are "heretic" and "apostate," both of which are from the Jewish perspective perfectly accurate. In addition, Donin is identified as the "enemy," which again reflects the reality from the Jewish perspective. Occasionally, he is also maligned as a fool or a donkey, although he hardly seems to qualify as a fool. What is interesting is what the Jewish author does not do, which is to challenge Donin's knowledge of the Talmud. The lack of such a challenge in the case of Nicholas Donin is noteworthy; it makes the Christian suggestion that he was highly learned in Hebrew and Jewish texts rather convincing.

The Hebrew narrative makes a few interesting, albeit tendentious observations on Donin. Very early on, the narrator depicts Rabbi Yehiel as calling Donin one "who believes only in that written in the Torah of Moses, without any interpretation."⁶⁵ Reflected here is the suggestion that Donin was opposed to the teachings of Oral Torah, valorizing only the Written Torah. Since this is a view recurrently encountered among medieval Jews, Donin's embrace of it is plausible. We might recall Tuilier's suggestion of a confluence between the Parisian mendicant tendency toward valorization of the Christian Bible and Donin's seeming embrace of the Written Torah only.

64 *Latin Accusations*, p. 102.

65 *Disputation*, pp. 129–130.

Immediately after this observation, the Jewish narrator has Rabbi Yehiel claim that Donin's rejection of the Oral Torah led to his excommunication from the Jewish community: "For this reason [his rejection of the Oral Torah] we separated him from us and excommunicated him, and ever since, until now, he has plotted evil against us."⁶⁶ Rabbi Yehiel is here portrayed as providing important background on Nicholas Donin – background suggesting that personal animosity lay behind the unprecedented charges he leveled against the Talmud.

At about the same time that Nicholas Donin launched his attack on the Talmud, another convert, who took the name Paul Christian, used his knowledge of the Talmud to initiate an innovative missionizing campaign for winning Jews over to Christianity. He and his efforts made a serious impression on both his Christian and Jewish contemporaries, which resulted in considerable surviving source material, notably the account of his disputation with Rabbi Moses ben Nahman (Nahmanides) in Barcelona in 1263.⁶⁷ There is an interesting letter from a Jewish relative of Friar Paul that castigates the convert and attempts to convince him of the error of his ways. In this letter, there is an extended reference to the slightly earlier Nicholas Donin.⁶⁸

The letter advances a series of allegations about Donin, most of which we have no way of substantiating. These include (1) the claim that he converted without genuinely believing in Christianity (it is a bit difficult to believe that Donin could have garnered the support that he did from the papal court without being perceived as a genuine Christian); (2) the claim that he had been excommunicated by Rabbi Yehiel and that this had turned him against the Talmud (we have just seen evidence for this in the Hebrew narrative); (3) the claim that Donin brought the blood libel – the allegation that Jews make ritual use of Christian blood – to the great king, which was by no means believed (again, there is no evidence for this in the extant sources, which are copious with regard to Donin's accusations);⁶⁹ (4) the claim that Donin perished violently as a result of his sins (Donin does in fact disappear completely after 1240). These claims

66 Ibid., p. 130.

67 For a full description of the Barcelona encounter, see Robert Chazan, *Barcelona and Beyond: The Disputation of 1263 and Its Aftermath* (Berkeley, 1992).

68 Jacob bar Elijah, *Iggeret* (Hebrew), ed. Joseph Kabak, *Jeschurun* 6 (1868): 1–31.

69 See Joseph Shatzmiller, "Did Nicholas Donin Level the Charge of Blood Libel?" (Hebrew), *Studies in the History of the People of Israel and the Land of Israel* 4 (1978): 175–182, and Chen Merhavia, "Did Nicholas Donin Level the Charge of Blood Libel?" (Hebrew), *Tarbiz* 49 (1979–1980): 111–121.

– with the exception of the second – seem to be folklorish fabrications, concocted by the author of the letter or perhaps circulating in the slightly later Jewish world.

The proselytizing efforts of Friar Paul Christian have left us one further reference to Nicholas Donin, which seems somewhat more reliable. While Friar Paul is best known for his missionizing engagement in Barcelona, his activities preceded the Barcelona disputation and continued well after it. In the late 1260s, Friar Paul was invited to Paris by the king, and there he engaged a number of the leading rabbis of the capital in much the same way as he had done with Nahmanides. One such engagement has left us a Hebrew narrative account, published by Joseph Shatzmiller. In this narrative, there is considerable sensitivity to the activities of Nicholas Donin some thirty years earlier.

At the very outset, the narrator describes the arrival of Friar Paul in the domain of the French king, who was in fact the same Louis IX who ruled at the time of the trial and condemnation of the Talmud. The narrator says of Friar Paul: “He followed some of the course of the earlier heretic, who lived at the time of Rabbi Yehiel.”⁷⁰ To an extent, Friar Paul was even worse, the narrator asserts, in that he maintained his anti-Jewish activities to the very last of his days. This would seem to suggest that Nicholas Donin did not do so, which is interesting in the light of his rapid disappearance from the historical scene, noted just now.

The very first speech of the Jewish protagonist once again mentions Donin, and it is most interesting. The Jewish spokesman, Rabbi Abraham, begins – as did Rabbi Yehiel in his defense of the Talmud – by pointing to the antiquity of the Talmud. In both cases, the Jewish spokesman is arguing in effect that what is happening – whether an assault on the Talmud or an attempt to use rabbinic literature for proselytizing purposes – constitutes an innovation, and a point-less one at that. In this regard the rabbi says about the Jewish Torah, clearly meaning the Oral Torah, “Indeed, it is more than twelve centuries old, and no one ever questioned it.” Immediately, however, Donin is introduced: “Only one heretic, who lived at the time of Rabbi Yehiel, about twenty years ago, [questioned the Oral Torah]. He babbled and collected all the *aggadot* [the talmudic imaginative materials] and the *Toldot Yeshu* materials [the defamatory statements about Jesus] and our problematic materials and sought to destroy us

70 See Joseph Shatzmiller, *La deuxième controverse de Paris: Un chapitre dans la polémique entre chrétiens et juifs au Moyen Âge* (Paris, 1994), 44.

entirely.” Rabbi Abraham compares the two converts in a striking way: “Indeed, the little finger of the first heretic [Donin] was broader than the thigh of this one [Friar Paul]. He [Friar Paul] would not be considered in comparison with him [Donin] as the skin of a garlic bulb. For all his days, he [Friar Paul] never understood anything in depth.”⁷¹ The Jewish author, while condemning Friar Paul for his superficial knowledge of the Oral Torah, in fact acknowledges Nicholas Donin’s mastery of the corpus. The Christian praise of Donin does not seem all that exaggerated.

Thus, we emerge with an awareness of how very little we know of Nicholas Donin. It does seem likely that he was originally a learned Jew. What would have moved such a Jew to abandon his ancestral community and religion and then to turn against them so destructively remains a mystery. It is clear that he was – somehow or other – able to insinuate himself into important Church circles, perhaps first in Paris and then surely in Rome. There is a later suggestion that he eventually abandoned his pro-Christian, anti-Jewish stance, but this is impossible to verify. This essentially mysterious figure was the prime mover in the very significant trial and condemnation of the Talmud.

The Prosecution

The case for the prosecution in the trial of the Talmud begins with the papal letters of 1239. In these letters, Pope Gregory IX alerted the ecclesiastical and secular leadership of Europe to hitherto unsuspected problems associated with the Talmud. In order to do so, the pope had to depict in at least a limited fashion the nature of these purported problems. To be sure, the first step in the campaign projected by Gregory IX involved checking these allegations through scrupulous examination of the Talmud. Nonetheless, some sense of the suspicions that had moved the pope to initiate the confiscation and investigation of the Talmud had to be communicated, and they were.

This means that the papal letters were, in a manner of speaking, indictments of the Talmud, that is to say allegations sufficiently weighty to warrant full jury investigation. The allegations reflected in the papal letters begin as follows:

For not content, as we have heard, with the old Law, which the Lord gave in writing through Moses, indeed completely neglecting the same, they main-

⁷¹ Ibid.

tain that the Lord also proclaimed another law, which is called the Talmud, i.e. teaching; and they falsely claim that it was passed on orally to Moses and inserted in their minds and preserved for a long time without being written down, until certain people came along, whom they call sages and scribes, who rendered it in writing so that it would not slip from men's minds through forgetfulness, the book of which exceeds the text of the Bible in size. In it are contained so many falsities and offensive things that they are a source of shame to those who repeat them and horror to those who hear them.⁷²

The letter then moves to the ensuing set of actions the pope was demanding, which are introduced by "Since, therefore, this is said to be the main reason that keeps the Jews stubborn in their perfidy ..."⁷³

Specified here are two papal assertions, which formed the core of the pope's concern and were to be investigated with an eye to the possible burning and prohibition of the Talmud. These assertions involve the very nature of the Talmud as a replacement for the law of Moses and the "many falsities and offensive things" in it. We should note that, according to the papal indictment, the Talmud contains teachings that are both false and offensive. Thus, we might expand our sense of the papal indictments to include the very nature of the Talmud as an unwarranted replacement for the genuine divine revelation in the Written Torah, its false teachings, and its offensive teachings.

Curiously, the papal letters do not spell out the nature of these false and offensive teachings. It is the first papal assertion – which focuses on the very nature of the Talmud – that is spelled out in detail in the papal letters of 1239. As indicated earlier, Jews believed that their Oral Torah was organically and synergistically linked to the Written Torah, "which the Lord gave in writing through Moses," in the same way Christians believed that their New Testament was organically and synergistically linked to the Old Testament.⁷⁴ The first papal assertion dismisses this Jewish belief, attacking it in multiple ways. According to Gregory IX

Thirteenth-century Jews are not content with the old Law, i.e. the one divinely delivered through Moses. This seems to root the Talmud in Jewish perversity rather than in divine fiat.

72 Latin Letters, no. 2, pp. 93–94.

73 Ibid., nos. 2 (p. 94), 3 (p. 94), and 4 (p. 95).

74 Many major Jewish thinkers over the ages examined carefully the linkage between the two Torahs and – not surprisingly – disagreed on the details.

1. In fact, they completely neglect the old, divinely dispensed Law. These Jews maintain that the Lord also proclaimed another law, which is called the Talmud.
2. They falsely claim that it was passed on orally to Moses and inserted in their minds and preserved for a long time without being written down.
3. Eventually, according to the Jews, certain people came along, whom they call sages and scribes, who rendered it in writing so that it would not slip from men's minds through forgetfulness.
4. The book of the Talmud exceeds the text of the Bible in size.

What precisely is wrong with these Jewish beliefs? In the first place, given the shared Christian and Jewish conviction of the divine origin of the Written Torah, Jewish neglect of the law dispensed by God through Moses was in fact disrespectful of God himself. Jews – in this view – have abandoned the truly divine law in favor of a new law that they “falsely claim ... was passed on orally to Moses.” The false claim and neglect of the truly divine law constitute flagrant disrespect toward the God revered by both Christians and Jews. In addition, the Jewish contention that this new law was “preserved for a long time without being written down” is projected as ludicrous, and one of the charges against the Talmud (as we shall see) was its teaching doctrines that are absurd.

It is likely that these opening assertions in the papal letter were intended to serve a further function as well. This relatively detailed statement about the Oral Torah might have been intended to serve as the foundation for judging the “falsities and offensive things” in the Talmud that Gregory IX wanted investigated. If Jewish views of the Oral Torah were correct, i.e. if the Oral Torah is of divine origin, then whatever is in it can hardly be designated “false and offensive,” should not be investigated by an ecclesiastical panel, and should under no circumstances be subjected to burning and prohibition. If, on the other hand, the Oral Torah is a human creation, as suggested by the pope, then the steps projected by Gregory IX become reasonable and appropriate. Viewed this way, the rather full papal depiction of the Talmud – based on Jewish sources, but projected from a Christian perspective – might have been intended as both a charge to be examined in its own right and as the basis for further aspects of the investigation that was to take place – an investigation of a human contrivance that was in addition guilty of erroneous and harmful teachings and worthy of condemnation on these grounds as well.

The next source to be addressed is the list of thirty-five articles found in the Paris manuscript. These thirty-five articles are introduced by the editor of the Paris manuscript as composed by Nicholas Donin, as presented by him to

Gregory IX, and as thus intimately linked to the papal letters just now analyzed. According to the editor of the Paris manuscript, Donin “approached the Apostolic See and revealed to Pope Gregory of happy memory in the twelfth year of his pontificate the impious wickedness of the aforesaid books and described in particular certain articles about which he obtained papal letters for the kings of France, England and Spain to the effect that, if it happened that such things were found in the said books, they should have them consigned to the fire.”⁷⁵ Thus, the thirty-five articles seem to have formed the backdrop to the papal thinking presented in the letters and must therefore be analyzed carefully.

Inspection of the thirty-five articles shows that they are indeed closely related to the papal letters, albeit far more detailed. In fact, the language of the opening assertion of Pope Gregory IX’s letter seems to have been taken directly from the first nine of Donin’s thirty-five accusations against the Talmud. The thirty-five accusations include:

- Articles 1 through 9: Jewish claims about the Talmud, presented from rabbinic sources but formulated to prove that the Talmud is a human contrivance and that the Jews favor it over the genuine Torah delivered by God to Moses.
- Articles 10 through 14: Talmudic teachings condoning or even requiring anti-Christian behaviors, including extensive arrangements for the breaking of oaths, making Jews untrustworthy in their relations with Christians.
- Articles 15 through 25: Talmudic teachings about God that are blasphemous in their inanity.
- Articles 26 and 27: Talmudic teachings that blaspheme Jesus and Mary.
- Articles 28 through 30: Talmudic teachings about the Church and its leaders that are likewise blasphemous.
- Articles 31 through 33: Talmudic teachings that promise blessings to Jews and the opposite to Christians in the world to come.
- Articles 34 and 35: Talmudic teachings that say foolish things about key biblical figures.

The first of the papal assertions – that the Talmud is a human contrivance that Jews prefer to the genuine divine revelation – is detailed in the first nine

75 Latin Accusations, p. 102.

of the thirty-five articles. Clearly, the extended treatment of this issue in the papal letters is rooted in these first nine articles. The claim that Jews were neglecting the Written Torah in favor of a human/Jewish contrivance projects these Jews as stunningly disrespectful toward God and his genuine revelation. If this allegation were proven true, it would weigh heavily in the decision as to the fate of the Talmud. Again, these initial nine allegations may well have been intended additionally as a foundation for all the subsequent allegations, since none of the purportedly erroneous or harmful views contained in the Talmud was – according to Donin – of divine origin.

The closing twenty-six of the thirty-five articles expand our sense of what was involved in the papal assertion of “false and offensive” talmudic teachings. They include teachings purportedly harmful to Christians and to Jewish-Christian social interaction; blasphemous statements about God, Christ, and the Church; offensive reflections on Jewish and gentile fate in the afterlife; and inane teachings about biblical figures. The last of these four allegations reinforces the sense of Jewish disrespect toward the true biblical revelation. These four broad accusations – along with the opening charge that the Talmud is in and of itself disrespectful of God – formed the basis for the investigation of the Talmud that Pope Gregory IX initiated in 1239.

As we have seen, we have three sources that reflect the actual proceedings of the trial of the Talmud, based on the thirty-five accusations leveled by Nicholas Donin at the papal court and provisionally accepted by Pope Gregory IX. There are two brief Latin documents that are purportedly confessions uttered by French rabbis called as witnesses. These are not narrative accounts, but résumés of what the rabbis allegedly acknowledged, intended to show the Talmud and its Jewish defenders in a negative light of course. The third source is the far lengthier Hebrew narrative account of the proceedings. While it purports to be a narrative record of the interrogation of Rabbi Yehiel, one of the distinguished French rabbi/witnesses, it is addressed to a Jewish audience and has multiple objectives. It sets out to identify the anti-Talmud thrusts, to portray effective rebuttals of these anti-Talmud allegations, and to reassure Jewish readers in a variety of ways. It too cannot be fully trusted as an objective account of the trial proceedings. However, combining these three disparate sources enables us to gain a reasonably good sense of what took place before the Paris tribunal convened in order to investigate the allegations leveled initially by the convert from Judaism and forwarded to the ecclesiastical leadership in Paris by the pope.

Let us move from the briefest of these sources – the purported confession of Rabbi Judah of Melun – to the lengthiest. According to the Latin document,

Rabbi Judah acknowledged six anti-Talmud charges. The first two purported confessions involve the charge that the Talmud blasphemes Jesus. According to the Latin “confession,” Rabbi Judah denied that the Jesus mentioned in the Talmud is the Christian Jesus, but the Christian author notes succinctly with regard to this Jewish claim that it is a lie. It is of course significant that this is the first item that the Christian author chose to feature in his reportage on Rabbi Judah. The third of Rabbi Judah’s “confessions” involves the allegation that talmudic teachings demean God. The example advanced is the well-known talmudic statement about God’s pleasure at a dispute between rabbis that highlighted their unwillingness to accept the testimony of a voice from on high, but instead shows their reliance on human reasoning. The notion that God might have said with pleasure something to the effect that his children had bested him was projected by the author of these “confessions” as blasphemous to the deity. The remaining three “confessions” revolve around the initial charge that Jews prefer the Oral Torah to the genuine divine revelation contained in the Written Torah.

The purported confession of Rabbi Yehiel is far lengthier than that of Rabbi Judah and involves eighteen separate items, organized in somewhat haphazard fashion. Interestingly, the first of these items notes that “The aforesaid Master Vivo was in no way willing to swear an oath.”⁷⁶ As we shall see, this same issue of swearing an oath is introduced at much greater length at the beginning of the Hebrew narrative. On the one hand, the demand for an oath by Rabbi Yehiel suggests the seriousness of the questioning of the rabbis and deepens the sense of a genuine trial against the Talmud. On the other hand, since one of the allegations against the Talmud was that it allowed or even encouraged Jews to break their vows, Rabbi Yehiel’s refusal to take an oath served to rebut this allegation by indicating the seriousness with which this particular Jew viewed oath-taking.

The remaining seventeen items in the confession of Rabbi Yehiel cover all the five elements we have noted in Donin’s thirty-five articles – that the Talmud is a human contrivance that supersedes divine law; that it promotes anti-social attitudes and behaviors toward Christians; that it blasphemes God, Jesus, Mary, and the Church; that it presents offensive doctrines about the afterlife; and that it includes teachings that are inane. These five elements are not dealt with in an orderly fashion, but every one of the categories we have identified is represented in Rabbi Yehiel’s alleged confessions.

76 Latin Confessions, p. 122.

At the same time, there is an obvious focus on the first and third of the anti-Talmud allegations – that the Talmud is a human contrivance that supersedes divine law and that it blasphemes God, Jesus, Mary, and the Church. With regard to the latter, the second of Rabbi Yehiel’s “confessions” and his first substantive “confession” is a lengthy statement about talmudic blasphemy of Jesus. Like Rabbi Judah, Rabbi Yehiel also is depicted as claiming that the Jesus of the Talmud “was different from our Jesus.” To this, the Christian author adds, “[B]ut he was unable to say who he [the Jesus of the Talmud] was, hence it is quite clear that he was lying.”⁷⁷

The Hebrew narrative account of the trial is far fuller, projects a rich set of characters, and creates a palpable sense of drama. As depicted in the Hebrew account, the trial took place in a royal palace, with Nicholas Donin serving as prosecutor in the case against the Talmud. According to the Jewish author, while a number of prominent rabbis were brought as witnesses for the Talmud, Rabbi Yehiel emerged as the primary Jewish spokesman in its defense.⁷⁸ The Hebrew account preserved in the Paris manuscript – upon which we shall focus – begins with a number of challenges raised by the rabbi, in an effort to discredit the trial and – if possible – to close it down. The important Galinsky study argues convincingly that this depiction of an activist role on the part of Rabbi Yehiel is unlikely to be accurate and that it reflects the author’s desire to spell out for his Jewish readers a useful line of Jewish argumentation.⁷⁹ Indeed, each of these challenges is interesting, as are the reactions they evoke. The depiction of these Jewish claims – which were probably not allowed in the trial setting – were of great didactic value for Jewish readers of this Hebrew narrative, who were to learn a number of strategies and lessons from them, as we shall see in the next section.

In all likelihood, the actual proceedings in Paris began with the demand for an oath by the major Jewish protagonist. Such a demand is reflected in both the

⁷⁷ Ibid.

⁷⁸ This seems to be reflected as well in the length of the Latin “confession” accorded to Rabbi Yehiel.

⁷⁹ Galinsky, “The Different Hebrew Versions of the ‘Talmud Trial.’” Galinsky portrays fully the relatively realistic opening of the trial presented in the fragment of the Vatican manuscript, the lengthier and less realistic portrait in the Moscow manuscript, and the lengthiest and least realistic portrait in the Paris manuscript. In the next section, we shall use the unrealistic portrait of the opening of the trial as a useful portrayal of a proposed line of Jewish defense, which is the objective of the editor of this third version of the narrative.

longer of the two Latin “confessions” and the Hebrew narrative. The Hebrew account is far more detailed; however, the essentials are parallel and thus suggest that sparring over an oath did in fact occur at the beginning of the ecclesiastical court proceedings. The initial request for an oath is described by the Jewish narrator as made by Donin and seconded by members of the ecclesiastical tribunal. Rabbi Yehiel refuses to agree, claiming that nowhere in the Torah is such oath-taking required.

The queen mother, Blanche of Castille, is portrayed as intervening and requesting the oath. Rabbi Yehiel once again refuses, but this refusal is more fully and humanly explained: “My ruler, never have I taken an oath, and I shall not begin swearing now. ... There is no need [for an oath]. Indeed, I will not hide from you that, while I shall tell the truth, what is a mystery to me is understood by others, for there are those greater than I by twice.” Rabbi Yehiel says in effect that he had never taken an oath and was thus loathe to do so under the present circumstances. He also indicated that at worst he might well be guilty of error, with the obvious implication that he would, however, not lie. In the wake of this assurance, the Jewish author quotes the queen as saying, “Since this is such a difficult act for him, and as much as he has never taken a false oath, leave him be.”⁸⁰ Thus, both the Latin résumé and the Hebrew narrative agree that an oath was requested, but that the request was ultimately dropped.

At this point, the actual questioning of the rabbi by Nicholas Donin commences. This interrogation occupies almost eighty-five per cent of the Hebrew narrative and is extremely detailed. Donin buttresses his questions with copious citations from the Talmud, and Rabbi Yehiel’s responses are likewise lengthy and full. Strikingly, however, the number of exchanges are not all that numerous, adding up to a total of only nine. In these exchanges, the first issue in the thirty-five articles (that the Talmud is a human contrivance that denies the genuine divine revelation) and the fourth issue (talmudic misstatements about the afterlife) make no appearance at all. The Jewish author may well have felt that he had said enough about the first issue in the (probably unrealistic) depiction of a lengthy opening statement by the rabbi about the Talmud, its halakhic component, and its aggadic component to obviate the need to describe exchanges on this issue. The focus of Donin’s attack, as depicted in the Hebrew narrative, was on the allegations of talmudic injunctions to anti-Christian thinking and behavior, on blasphemies against God and Jesus, and on rabbinic inani-

ties, though, as we shall see shortly, there is one new thrust, which does not appear in the papal letters, the thirty-five articles, and the Latin “confessions.”

The Donin attacks on these three issues break no new ground in terms of essential thrust. What is strikingly different is the fullness of the assault and the citation of multiple rabbinic sources. Rabbi Yehiel does not challenge the authenticity of these sources or claim that Donin has radically misunderstood them; he does argue regularly that these sources do not mean what Donin suggests they mean.⁸¹ For example, the second thrust of Donin’s interrogation involved the allegation that the Talmud repeatedly blasphemes Jesus and Mary. In support of this contention, Donin advances a sequence of citations from the Talmud, which the rabbi must acknowledge as authentic. With authenticity established, the rabbi then proceeds to argue that the cited passages do not refer to the Christian Jesus. While the Christian “confessions” note this line of Jewish defense, they dismiss it out of hand; the Hebrew narrative quotes the rabbi’s arguments in great detail and urges their reasonability.

There is, strikingly, one new issue raised in the Hebrew narrative – an issue we have not encountered in the prior Christian sources cited thus far. About midway through the Hebrew narrative, the Jewish author has Nicholas Donin say the following: “Did not many thousands of you fall by the sword in Brittany and Anjou and Poitou? If you are a treasured people, as you have said, where are the signs and wonders which your God performed for you?”⁸² The reference is to a near-contemporary event, the violent but sparsely documented popular crusading assaults on Jews in northwestern France in the mid-1230s. We have already encountered reference to this violence in the letters of Pope Gregory IX (the same Pope Gregory IX who set the attack on the Talmud in motion), which depict sympathetically Jewish suffering and demand that the authorities provide redress for this suffering.⁸³ The exchange is brief, with Rabbi Yehiel providing one of the standard medieval Jewish responses to this Christian challenge, i.e. that this suffering was divinely predicted and that the ultimate redemption of the Jewish people – likewise divinely predicted – will undoubtedly take place as well. Both suffering and redemption have been predicted; the former has taken place and the latter will surely also eventuate.

81 This is in striking contrast to the Hebrew narrative describing the Barcelona disputation, in which Rabbi Moses ben Nahman depicts himself as regularly challenging the texts and the friar’s ability to understand them.

82 Disputation, p. 152.

83 See above, in the preceding section, pp. 32–33.

The combination of the three sources enables us to make an educated guess as to the opening ploy in the Donin presentation and to suggest that he began with the charge that the Talmud blasphemes Jesus, with the talmudic passage that portrays Jesus in the netherworld in boiling excrement. This item is the first of the purported confessions of Rabbi Judah ben David and the first substantive “confession” of Rabbi Yehiel; it constitutes the immediate opening of the Vatican fragment of the Hebrew narrative and is primary in both the Moscow and Paris manuscripts of this narrative. Clearly, the impact of this shockingly blasphemous passage would have been enormous.⁸⁴

There remains one last set of data on the case against the Talmud, as we have seen. Pope Innocent IV, successor to Gregory IX, continued to occupy himself with the issue of the Talmud, initially reaffirming in 1244 the findings of the Paris jury that supported the allegations of Nicholas Donin and Gregory. However, three years later, Pope Innocent IV changed course in a striking way – rejecting some of the findings of the Paris jury and, as a result, altering the policy initiated by Gregory IX and executed in Paris. The papal change of heart elicited spirited objections from the papal legate in Paris, Odo of Chateauroux. The two letters of Innocent IV and the rejoinders of Odo to the second provide our final insights on the case of the prosecution in the trial and condemnation of the Talmud.⁸⁵

In 1244, Innocent IV addressed a letter to King Louis IX of France, commending him for the important role he had played in the condemnation and burning of the Talmud and urging continuation of the effort. In the course of this letter, Innocent identifies clearly his understanding of the grounds of the condemnation and burning of the Talmud, which follows along the lines laid out by Nicholas Donin and Pope Gregory IX. He highlights the fact that “they [the Jews] disregard or despise Mosaic Law and the prophets and follow certain traditions of their elders, for which the Lord rebukes them in the Gospel, saying, ‘Why do you transgress God’s commandment and make it void for the sake of your traditions, teaching the doctrines and precepts of men?’”⁸⁶ Here, Pope Innocent IV adds a new element to the prior case against the Talmud – Jesus’ own dismissal of the Jewish traditions, which he projects as the precepts of men. In Innocent’s eyes, the Talmud’s disregard and, in fact, obscuring of divine

84 Fuller description of the Christian charges will be provided in the next section, as part of the depiction of the Jewish defense.

85 See above, in the section entitled “Sources and Chronology,” pp. 22–30.

86 Matt 15:3, 6, 9.

revelation keeps Jews obstinate in their Jewishness; “[I]n such traditions, ... they teach and bring up their children and make them thoroughly estranged from the teaching of the Law and the prophets, fearing that they be converted to the faith and return humbly to their Redeemer, since the truth that is found in the same Law and prophets clearly offers proof of the only-begotten Son of God who would come in the flesh.” Additionally, Innocent returns to the further issues in the Donin/Gregory IX indictments. The Talmud “is a great book among them, exceeding the text of the Bible in size, in which there are manifest blasphemies against God and his Christ and the blessed Virgin, convoluted tales, erroneous insults, and unheard-of foolishness.”⁸⁷ Reflected here is Innocent’s sense that the entire set of Donin/Gregory IX allegations – beginning with the claim that the Talmud is a human contrivance that demeans divine revelation – had been upheld by the Paris jury, with the Talmud burned and prohibited as a result.

As noted, Pope Innocent IV had a change of heart in 1247 and ordered his legate in Paris to organize a new commission that was to reexamine the Talmud and to return to the Jews non-offensive materials. This order was grounded by Innocent in the claim of the Jews that without the Talmud they could not practice their religious faith and that the Church had long taken the position that Jews had the right to practice Judaism under Christian rule. This 1247 position indicates clearly that Innocent IV had re-conceptualized the Paris findings against the Talmud. While he understands that the Paris jury had found the Talmud guilty of containing intolerable materials and deals with this finding by ordering censorship of the Talmud, it is equally obvious that – at least in Innocent’s eyes – the core of the Paris condemnation did not include the first nine allegations in Donin’s thirty-five articles, viz. that the Talmud is a human contrivance that leads to subverting divine revelation. It is of course curious that in 1244 Innocent highlighted this aspect of the Paris findings and in fact buttressed it with a Gospel citation and then in 1247 reversed course in both theory and practice. Ordering the return of the Talmud to the Jews indicates that Pope Innocent IV in 1247 no longer viewed the initial Donin/Gregory allegation as central to the earlier Paris condemnation, since the return of the Talmud to the Jews would make no sense if one of the major elements in the condemnation had been that it is an unacceptable deviation from the true revelation in the Bible and therefore demeaning to God himself.

87 Latin Letters, no. 5, p. 96.

The importance of this shift in papal theory cannot be overstated. The stance enunciated by Nicholas Donin, Pope Gregory IX, the Paris jury, and Pope Innocent IV in 1244 ultimately constituted a reversal of prior Christian policy. The Church had long taken the position that Judaism – which necessarily meant rabbinic Judaism – was legitimate for Jews to practice, even though it was from the Christian perspective erroneous. The initial allegations of the Donin/Gregory/Paris attack on the Talmud took the innovative position that rabbinic Judaism was more than wrong – it was in and of itself blasphemous repudiation of the true revelation that God had given to the Jewish people. This meant in effect that – as a blasphemous repudiation of God – rabbinic Judaism was intolerable in a Christian society. The revised position articulated by Pope Innocent IV in 1247 re-established the right of Jews to practice rabbinic Judaism in western Christendom. Innocent continued to accept the Paris findings as to the intolerable contents within the Talmud and established procedures for excising these intolerable contents. However, in 1247 he rejected the charge that the Talmud was in and of itself unacceptable in Christian society as a deviation from divine revelation.

Innocent IV's rejection of the charge that the Talmud was inherently disrespectful toward God and his true revelation is hardly simple. As we shall see, Jews argued that the Talmud is in fact divinely mandated. Innocent IV was not about to accept that argument. He surely remained convinced that the Talmud was an error-ridden human composition. What he seems to have acknowledged in response to the Jewish pleas is that the Church had long ago made its peace with this error-ridden human composition. Although he had, in Innocent IV's view, introduced new and damning evidence on the contents of the Talmud, Nicholas Donin had not produced sufficient evidence to overturn the Church's prior position that criticized the Jewish Oral Torah but tolerated it nonetheless.

The response of the papal legate to the papal order was understandably extremely negative. Odo wrote back to the pope and reviewed the events from 1239 through the mid-1240s, highlighting the stance of Pope Gregory IX and the findings of the panel of distinguished scholars that had found the Talmud guilty as charged, which meant *inter alia* guilty of being a human contrivance and a deviation from the true revelation. According to Odo, the Talmud had been found guilty of all the charges leveled against it, including the charge that it is a human contrivance that constitutes blasphemy toward God and his genuine revelation, and had been burned as a result. The new papal position ran counter to all the foregoing steps and was thus utterly unacceptable.

The final document related to the anti-Talmud campaign is the condemnation issued by Odo in 1248, and it is a striking and somewhat puzzling decree. While Odo had in 1247 rejected Pope Innocent IV's dismissal of the charge that the Talmud was inherently blasphemous toward God, in this new condemnation Odo does not introduce this charge. Instead, he focuses on the intolerable contents of the Talmud: "Because we found them [the books of the Talmud] to contain innumerable errors, insults, and offensive things that are a source of shame to those who repeat them and horror to those who hear them, to such a degree that the aforesaid books cannot be tolerated in the sight of God without damage to the Christian faith, after consultation with good men whom we had specially summoned for this purpose, we proclaim that the aforesaid books must not be tolerated nor should they be restored to the masters of the Jews."⁸⁸ In a sense, Odo seems to have capitulated to Innocent IV's sense of the Talmud as not inherently blasphemous. To be sure, he remained opposed to Innocent's conclusion that an excised Talmud could be returned to the Jews. According to Odo and his colleagues, the erroneous and harmful teachings in the Talmud were of such magnitude that the book was intolerable.

The case against the Talmud was drafted by Nicholas Donin, supported by Pope Gregory IX, and ratified by the Paris jury. The case was wide-ranging and damning. It began with the claim that the Talmud was in and of itself blasphemous toward God and his true revelation, which meant in effect that the rabbinic Judaism practiced by the Jews of western Christendom was intolerable. It included the older allegation that the Talmud contained inane doctrines, but introduced new information that purported to show that it also included slurs against Jesus, Mary, and the Church and condoned or even encouraged anti-Christian behaviors. Eventually, the charge that the Talmud was in and of itself blasphemous and intolerable was dropped by Pope Innocent IV and seemingly even by Odo of Chateauroux. To be sure, both agreed that some of the content of the Talmud was intolerable, with the pope urging censorship of this material and Odo contending that there was too much intolerable material for censorship and that the entire Talmud should be burned and prohibited. These were the charges to which Jews had to respond.

88 Latin Letters, no. 8, pp. 100–101.

The Defense

The wide-ranging charges against the Talmud, first drafted by Nicholas Donin, gained a hearing in the papal court, were supported by Pope Gregory IX, were heard by a papally commissioned jury in Paris, were ratified by that jury, and occasioned the burning of the Talmud and its prohibition in Paris in the early 1240s. The jury trial, the burning, and the prohibition took place in royal France only, but the danger that the Talmud would be condemned elsewhere in Europe was real and frightening. Jewish leaders in France had to defend the Talmud against the Donin charges, but Jewish leaders elsewhere had to be fully aware of what was happening in Paris and prepare themselves for similar onslaughts. While the rabbis in Paris were initially unsuccessful in defending the Talmud, the Hebrew narrative that depicts the exchanges between Donin and Rabbi Yehiel served the important purpose of clarifying for Jewish readers the dangers facing them and conveying suggested lines of defense. It is the critical source for probing Jewish responses to the Donin charges.

As we have seen, the Donin attack was multi-faceted and extremely well documented. The allegations included that the Talmud was in and of itself disrespectful toward God and his true revelation and that it included teachings purportedly harmful to Christians; blasphemous statements about God, Christ, and the Church; offensive reflections on Jewish and Christian fates in the afterlife; and inane doctrines. The fourth of these allegations (offensive reflections on Jewish and Christian fates in the afterlife) was not at all prominent in the proceedings in Paris or its aftermath, and the fifth (inane teachings) was already well known. Thus, the key charges to which Jewish leaders in Paris had to respond were the first three: that the Talmud was in and of itself disrespectful toward God and his true revelation; that it included teachings purportedly harmful to Christians; and that it contained blasphemous statements about God, Christ, and the Church.

Of these three charges, the first was in many ways the most damaging, since acceptance of this allegation meant in effect prohibiting rabbinic Judaism in western Christendom. At the same time, the two further allegations were in their own rights extremely destructive – both on the official level and on the popular level. On the official level, Odo of Chateauroux – seemingly abandoning eventually the claim that the Talmud was inherently blasphemous toward God – nonetheless contended that the remaining charges involving the contents of the Talmud were sufficiently weighty to require ongoing burning and prohibition. This was the position adopted by the French authorities from

the mid-thirteenth century down through the end of Jewish life in France in the late fourteenth century. These charges also caused grave damage to the Jews on the popular level. The burgeoning sense of Jewish malevolence and harmfulness, which had been gaining strength in popular circles from the middle of the twelfth century onward, received considerable reinforcement from the new knowledge of the Talmud. This new knowledge suggested that Jewish malevolence and harmfulness were not accidental or social in origin; rather, they inhered in the religious literature of the Jews and were incumbent upon Jews *qua* devotees of Judaism.

Lines of Jewish defense are depicted in all three sources that describe the trial of the Talmud – the “confession” of Rabbi Judah of Melun, the “confession” of Rabbi Yehiel of Paris, and the Hebrew narrative. To be sure, treatment of the Jewish defenses in the two “confessions” is cursory and dismissive. We have noted, for example, reference in both “confessions” to the allegation that the Talmud contains blasphemous statements about Jesus. In these “confessions,” the rabbis are briefly depicted as claiming that the talmudic statements refer to a different Jesus, and this claim is summarily dismissed as a lie. As we shall see, the Hebrew narrative argues at far greater length for this claim.

As noted recurrently, the Hebrew narrative was not intended as a stenographic report on the Paris proceedings. Rather, the author set out to alert Jewish readers to the lines of Christian attack, to effective Jewish defenses against these Christian accusations, and to reassurance that – whatever the outcome of the Paris trial – the Talmud would surely survive the threat. Judah Galinsky has argued that the Paris manuscript, which is translated in this volume, was the furthest removed from the trial and thus the least reliable as historical evidence of the Paris proceedings. Not surprisingly, this makes the Paris manuscript our fullest evidence for the lines of defense erected by Jewish leaders.

One technique invoked by the author/editor of the Hebrew narrative was to accord Rabbi Yehiel a measure of initiative at the outset of the trial and to portray him as delivering a series of lengthy statements. In all likelihood, these statements could not have been made at the Paris trial. They serve, however, as very effective vehicles for communicating broad lines of Jewish defense, which could then be invoked against a number of the specific Donin thrusts.

The first of the broad lines of defense involved the antiquity of the Talmud. Rabbi Yehiel is portrayed as opening the trial, which is surely not a realistic portrait of how the proceedings began. He is made to say: “About what do you dispute with me, and what do you wish to ask?” Donin is said to have replied: “I would query you about an old matter, as I will not deny that the Tal-

mud is over four centuries old.” This leads the rabbi to counter-claim, “[It is] more than fifteen centuries [old].”⁸⁹ Thus, Donin is portrayed as arguing that the Talmud is relatively recent, having been composed in the ninth century, while Rabbi Yehiel pushes the Talmud back into the pre-Christian era. Clearly, the rabbi was not suggesting that the Talmud in its final form was that old; he was obviously referring to the teachings collected in the Talmud and urging their very ancient origins. This difference in dating is significant. Since antiquity was a value highly prized in medieval society, the age of the Talmud was intrinsically important, with the relatively short history of the Talmud proposed by Donin an index of its insignificance and the antiquity of the Talmud posited by the rabbi a mark of its greatness.

In fact, the issue of dating the Talmud had important ramifications beyond greater or lesser respectability. Rabbi Yehiel is portrayed as turning to the queen mother and asking to end the discussion: “If you please, my ruler! Do not compel me to answer his claims, since he admitted that it [the Talmud] is very ancient and until now no one has made charges against it. Behold, Jerome, the tonsured one, knew all of our talmudic law, as it is known to all of the clerics. If there were anything damaging in it, it would not have been left undisturbed until now.”⁹⁰ Given the rabbi’s claim of the hoary antiquity of the Talmud, he argues that any case against it makes no sense, since major and authoritative figures in the history of the Church were aware of the Talmud and did not lodge complaints against it. The campaign against the Talmud is thus an unwarranted innovation, attributed by the rabbi to the personal animus of Nicholas Donin toward the Talmud and rabbinic Judaism, and does not deserve to be pursued. While the author of the Hebrew narrative indicates that this ploy on the part of the rabbi was quickly dismissed during the Paris proceedings, the argument was in fact a potent one and was undoubtedly invoked by Jewish leaders in settings other than Paris.

In fact, the argument that Pope Innocent IV cited as decisive in his decision to reconsider the allegation that the Talmud is inherently blasphemous toward God is related to this opening and broad claim purportedly advanced by Rabbi Yehiel in Paris and rejected by the Paris jury. The rabbis who met with Innocent IV argued that stripping Jews of their Talmud was tantamount to prohibiting Judaism. Put differently, Jews had for centuries been permitted by the Christian authorities to practice rabbinic Judaism, grounded in the Talmud. Changing

89 Disputation, p. 129.

90 Ibid.

the rules governing Jewish life in Christendom would constitute an unacceptable innovation. The argument that – according to our Jewish author – failed to convince the Paris jury eventually did sway Pope Innocent IV.

The Charge of Inherent Blasphemy

The Hebrew narrative accords to Rabbi Yehiel yet a second lengthy opening statement, in which another major line of defense is introduced. Rabbi Yehiel begins this lengthy statement by distinguishing between the two broad categories of talmudic material – the halakhic or legal and the aggadic or speculative/imaginative. With regard to the former category, he is clear and unequivocal: “I believe in all of the laws and statutes written in them [the books of the Talmud] as explained to us through our teachings.”⁹¹ Rabbi Yehiel – like all believing Jews of his period – accepts fully all talmudic teachings in the realm of law. With respect to the aggadic materials, he suggests that they must not necessarily be accepted in their entirety. With regard to such materials, “I have no need to reply to you about passages [in the Talmud] such as this. If you wish, believe them; if you do not wish, do not believe them.”⁹² In taking this position, Rabbi Yehiel was creating the foundation for rebutting a number of the anticipated thrusts of the Donin assault, the grounding of which lay in citation of aggadic passages. If aggadic passages are by no means authoritative and their acceptance by Jews is not mandatory, then the anti-Talmud conclusions drawn from them are necessarily vitiated.

Rabbi Yehiel bases his claim about the status of the aggadic statements in the Talmud on the fact that these materials were intended to exercise the imagination and were not intended to be taken literally. Since this is the case, aggadic materials are not binding in the way that halakhic materials are. However, the rabbi is quick to counter the possible impression that aggadic materials are thus of lesser significance. In the rabbi’s view, these materials are vital and are profound in their meanings: “I know that the sages of the Talmud never wrote a worthless detail, only correct and truthful words that are lofty and wondrous to those who hear them.”⁹³ Aggadic materials must be read differently, are non-binding, but are lofty and must be respected.

91 Ibid., p. 130.

92 Once again, there are striking parallels to Nahmanides’s narrative account of the Barcelona disputation, where the same distinction is drawn. For the somewhat more nuanced Nahmanidean view, see Chazan, *Barcelona and Beyond*, Chap. 5.

93 Disputation, p. 131.

Indeed, such aggadic materials represent a direct continuation of tendencies in the Written Torah, which both Christians and Jews revere: “[T]here are many examples of this [imaginative thinking] in Scripture, such as the speech of [Balaam’s] ass, Lot’s wife who became a pillar of salt, the war of Sisera wherein the stars did battle from their courses, the gourd of Jonah which in one night came to be and perished, and the tale of Elisha in which it is written, ‘They cast [the corpse of] a man into the tomb of Elisha and he came to life and stood upon his feet,’ and many other stories like these.”⁹⁴ To condemn the Talmud for its flights of fantasy would imply parallel condemnation for the Written Torah and the God who dictated it. Condemnation of the biblical tales is unthinkable, and the talmudic imaginative materials deserve similar acknowledgement and respect.

Armed with these two broad principles, Rabbi Yehiel was prepared to meet and defeat the first of the Donin charges, the allegation that the Talmud is inherently disrespectful toward God and his true revelation. The rabbi’s opening claim of the antiquity of the Talmud led to the assertion that it had long been known and tolerated by Christian authorities. This is a powerful argument, but is only circumstantial. According to the Hebrew narrative, Rabbi Yehiel proceeded from the circumstantial to the substantive. The rabbi laid out a thoroughly substantive case for the legitimacy – indeed the indispensability – of the Talmud. We recall that Donin’s argument for the essentially blasphemous nature of the Talmud rested ultimately on denial of its divine roots. The second of his allegations is that the Jews “say that it [the Law of the Talmud] was handed down by the word of the Lord.”⁹⁵ Implicitly, Donin denies this Jewish assertion. In the letter of Gregory IX, the implicit becomes explicit: “they [the Jews] *falsely* [emphasis mine] claim that it was passed on orally to Moses.”⁹⁶ This part of the Christian case rests ultimately on simple denial of the divine roots of the Oral Torah.

For Rabbi Yehiel to merely reject this denial would have achieved little, and this is not what he chose to do. Rather, he built a meticulous argument contending that divine decisions reflected in the Written Torah necessitated an Oral Torah. This case begins with problems associated with the Written Torah. Identification of these problems was by no means intended to be blasphemous.

94 Disputation, p. 131. It is striking that the sequence of passages ends with Elisha and resurrection of the dead, which is of course a central theme in the New Testament.

95 Latin Accusations, p. 103.

96 Latin Letters, no. 2, p. 94.

The problems are readily identifiable, and it is obvious that God introduced these problems for his purposes and not out of divine shortcoming. The first of these problems involves seeming contradictions in the Written Torah. God was surely capable of composing a Written Torah free of contradictions, but he chose not to do so. Why this is so is beyond human understanding. Nonetheless, it was a necessary result of the divine revelation recorded in the Written Torah that the rabbis identify such contradictions and resolve them.⁹⁷

Likewise, the Written Torah often diffuses laws on a single important topic among numerous passages. Again, God could surely have organized these materials more efficiently but for his own purposes chose to do otherwise. Once more, this divine decision necessitated rabbinic activity in order to allow the dictates of the Written Torah to be implemented effectively on the human scene.

Thirdly, God chose – again for his own reasons – to omit certain laws from the Written Torah corpus. Rabbi Yehiel is quoted as claiming the following: “Further, the commandments are written in brevity and one cannot understand them without [extra-biblical] tradition, as it is written, ‘If a case is too baffling for you to decide, etc.’ until ‘which they tell you to do.’”⁹⁸ In such a case God has transmitted this tradition to the sages.⁹⁹ This critical biblical passage empowers the religious leadership of the community – in the biblical period the priests and subsequently the rabbis – to adjudicate issues that arise among the people and that are not clearly resolved in the divine revelations dispensed through Moses. This passage envisions the need for clarifications of the law and empowers the religious leadership of the Israelite/Jewish community to provide such clarifications. The dictates of the religious leadership must be scrupulously followed by the people. Here – in the view of Rabbi Yehiel – there is direct biblical confirmation of the authority of the religious leadership of the Jewish people, which over the ages devolved upon the rabbis. Thus, the Donin/Gregory contention that the Jews falsely claim divine authority for the Talmud is – in the view of the rabbi – clearly contravened by this crucial biblical passage.

There is yet a fourth and final line of support for the authority of the rabbis and their Talmud. Every legal system requires a set of safeguards against transgression by the common folk. In order to ensure that major prohibitions not be transgressed, it is necessary to erect barriers against such transgression.

97 Note the parallel Christian wrestling with inter-Gospel contradictions.

98 Deut 17:8–13.

99 Disputation, p. 132.

Such barriers operate in every legal system and are, according to Rabbi Yehiel, in fact authorized in the Written Torah itself: “And the support for [these laws] is found in the passage ‘You shall keep my charge ...’¹⁰⁰ meaning ‘You shall place your own guardian before that which I guard.’”¹⁰¹ Barriers to the transgression of major precepts are found in all legal traditions and are specifically enjoined by the Written Torah. Thus, the grounds for rabbinic/talmudic authority are weighty. This authority does not rest on a simplistic claim of divine delivery of the Oral Torah to Moses, although such a claim is in fact made. Rather, the grounding for rabbinic authority rests firmly on the needs established by the Written Torah and is in fact mandated explicitly by the Written Torah.

Indeed, Donin’s claims about the inherently blasphemous nature of the Talmud revolved heavily around aggadic statements, rather than halakhic norms. Let us note some of these aggadically grounded charges:

- that, according to the Talmud, the sages and scribes are worth more than the prophets;
- that the sages and scribes were able to overturn the words of the Written Torah;
- that, if they said left was right or vice versa, they would turn right into left;
- that he ought to die who does not observe what they say;
- that they prohibit young children from studying the Bible, because it is not a virtue, as they say, to learn these things, but, preferring the teaching of the Talmud, they have promulgated certain injunctions of their own.¹⁰²

None of these allegations involve actual legal issues: they are all non-legal or extra-legal observations about the rabbis and the Talmud, should not be taken literally, and do not constitute anti-Talmud evidence.

The defense advanced against the first of the Donin charges – that the Talmud is inherently disrespectful to God – is multi-faceted and impressive. Rabbi Yehiel is portrayed as taking a number of tacks. Circumstantially, prior Christian leadership knew and accepted the Talmud as the foundational element in Jewish religious life; Donin’s attack was thus an unacceptable *novum*. Substan-

¹⁰⁰ Lev 18:30.

¹⁰¹ Disputation, p. 132.

¹⁰² Latin Accusations, Articles 5–9, pp. 105–108.

tively, there is solid evidence of a divine mandate for ongoing interpretation of God's law, which means that the Talmud as a body of such interpretation can hardly be disrespectful. Finally, the aggadic statements marshaled by Donin are – like all aggadic statements – not to be taken literally, but must be properly understood as literary and imaginative commendation for the rabbis and their important efforts on behalf of their followers. The claim that the Talmud is inherently blasphemous toward God is thus unsustainable, and we have seen that Pope Innocent IV in fact retreated from this position in 1247, as did Odo of Chateauroux in 1248.

The Charge of Blasphemies against God, Jesus, and Mary

The Donin assault on the contents of the Talmud involved principally the charge that the Talmud sanctioned or even required anti-Christian behaviors and the charge that the Talmud included blasphemous statements about God, Jesus, and the Church; these charges required a somewhat altered defense. The passages cited by Nicholas Donin are not denied by Rabbi Yehiel; rather they are interpreted meticulously by him. To an extent, the circumstantial case that the Talmud had long been known to the Church could still be invoked, but it lacked the impact it had in combating the allegations of the inherent disrespectfulness of the Talmud. The seemingly blatant anti-Christian teachings and the ostensibly blasphemous statements about God, Jesus, and the Church required direct confrontation on the part of Rabbi Yehiel and on the part of other Jewish leaders encountering such claims.

Let us begin with the allegation that the Talmud contains blasphemies against God, Jesus, and Mary, which occupies less space in the Hebrew narrative account than the charge of fostering anti-Christian behaviors. In the narrative account, there are two exchanges in which Donin levels charges of blasphemy – one involving blasphemy against God and the second involving blasphemy against Jesus and Mary. The first is relatively short and focuses on only one of the many talmudic passages cited by Donin in his thirty-five articles as demeaning of God. The passage in question is from Tractate Hullin and involves a purported conversation between God and the moon, with the latter objecting to the fact that it and the sun were of equal size. In response, God diminished the size of the moon. The moon is portrayed in the talmudic passage as complaining of being punished for raising a reasonable question. Acknowledging the legitimacy of the moon's complaint, God then sought to assuage the moon in a number of ways, but was ultimately unsuccessful. The

passage ends: “God said: ‘Bring an atonement offering on my behalf because I have diminished the moon.’” Donin is portrayed in the Hebrew narrative as concluding, “Could there be another people like this, in whose Torah it is written that their God sinned and commanded [them] to bring an offering to atone for him, for his sin? Should not anyone who hears this laugh?”¹⁰³

The Hebrew narrative again portrays Rabbi Yehiel as pre-empting such criticism of the Talmud through his lengthy speech about the nature of aggadic material. In that early speech, he emphasized the non-binding nature of the aggadah and the need to read it as creative and imaginative rumination, noting that the Hebrew Bible – revered by Christians – is full of such leaps of imagination. The rabbi is portrayed as responding along precisely the same lines when the issue of the talmudic passage’s purported blasphemy of God is raised: “You are shocked that the moon has spoken. Then who bestowed speech and song to the trees of the forest, who shout in the court of King David, as it is written, ‘Then the trees of the forest shout for joy ...’¹⁰⁴ Did you laugh at this to your friends, did you mock it?”¹⁰⁵ This is precisely the tack the rabbi had taken in his earlier speech – what is legitimate and unassailable in the Hebrew Bible cannot be censured in the Talmud.

Here, however, Rabbi Yehiel proceeds further, explicating the moral lessons embedded in this imaginative midrash. He cites a number of such lessons. The first involves the sinfulness of the moon in demeaning her companion light, the sun. According to the rabbi, the imaginative midrash is addressed to a human audience, teaching the seriousness of slandering fellow humans. Moreover, God’s behavior in the story is meant to teach the importance of bringing others to recognition of their sinfulness and of moving them toward repentance. God was in effect transmitting a lesson in repentance through his ongoing conversation with the moon and his acceptance of guilt for diminishing her. The entire passage must not be read as a misguided and ludicrous portrait of the divine; it is rather an imaginative and effective excursus aimed at conveying major moral insights.

It is interesting to note in passing a line of defense not invoked by Rabbi Yehiel. By the thirteenth century, Jews were quite well versed in New Testament stories. As a minority community in a majority Christian environment, Jews were cognizant earlier and more fully of the New Testament than were Chris-

¹⁰³ Disputation, p. 143.

¹⁰⁴ Ps 96:12.

¹⁰⁵ Disputation, p. 143–144.

tians of the Oral Torah. Jewish knowledge of the Gospels gave rise to literalist criticisms very much parallel to the attacks on the Talmud by Peter the Venerable and Nicholas Donin. Jewish authors cite New Testament incidents recurrently and criticize the behavior of Jesus as utterly inappropriate to a divine figure.¹⁰⁶ In a different environment, Rabbi Yehiel might have been tempted to adduce the New Testament along with the Hebrew Bible in asserting the imaginative and educational significance of talmudic tales. He might well have pointed to New Testament stories of the divine Jesus acting in a decidedly human manner. Clearly, however, the Paris circumstances precluded this line defense entirely.

Criticism of the Talmud for its flights of fancy and suggestions that such flights of fancy were ultimately demeaning to God did not represent a new and truly dangerous thrust on the part of Nicholas Donin. Citation of talmudic materials that seemingly blasphemed Jesus directly was innovative and extremely dangerous. Flights of fancy might be laughable, and they are often portrayed that way. Deprecating depictions of Jesus did not elicit laughter; they elicited outrage. Donin's thirty-five articles introduce a number of talmudic passages that make seemingly blasphemous observations about the figure whom Christians adored as redeemer and deity. In the Hebrew narrative account of the trial of the Talmud, three key passages are cited by Donin, and the rabbi has to adopt alternative tactics for rebutting these three allegations.

The first of the three passages cited is from Tractate Gittin. It involved a potential proselyte to Judaism investigating through a necromancer the fate of a number of enemies of the Jewish people in the netherworld, in order to ascertain the punishments meted out for anti-Jewish activities. The first of these figures is the Hebrew Bible's Balaam, who sought to curse the Israelites. Balaam is portrayed as immersed in boiling semen in the netherworld, and the rabbi explains the symbolism of this purported punishment. The next figure is a Jesus, who is portrayed as immersed in boiling excrement, which is cited by Donin as a profoundly blasphemous statement about the figure revered by the Christian majority. Here, there can be no recourse to the argument that this is an aggadic statement and must not be taken literally. On whatever level this passage is approached, it seemingly reflects profound Jewish hostility to and verbal abuse of Jesus.

106 See Robert Chazan, *Fashioning Jewish Identity in Medieval Western Christendom* (Cambridge, 2004), Chap. 13.

Rabbi Yehiel begins his response by acknowledging the existence of this passage in the talmudic corpus: “Yes, this is in the text. I will not disavow it because of dread of you.”¹⁰⁷ However, the rabbi proceeds immediately to reject the charge of blasphemy against Jesus by asserting that the figure so depicted is not the Jesus whom Christians venerate: “[I]ndeed, it [the passage] is not about the god of the gentiles of whom we have spoken in this way, but about a different Jesus, who mocked the words of the sages and did not accept their [rabbinic] interpretation and accepted the Written Torah alone.” We have noted Christian awareness of this line of defense in the “confessions” attributed to Rabbi Yehiel and Rabbi Judah. In both cases, the Christian author of the “confessions” cannot refrain from designating this line of defense a lie.

In the Hebrew narrative, Rabbi Yehiel is portrayed as offering proofs for his contention that the talmudic passage is concerned with another Jesus: “[Y]ou should know that this is the case, for you see ‘Jesus of Nazareth’ is not written, but rather merely ‘Jesus.’ Further, if it did refer to him [Jesus of Nazareth], [that Jesus] did more than what is written here [rejecting the interpretations of the sages]. [Jesus of Nazareth] incited and caused Israel to stray and made himself a god and repudiated the central doctrine [of the Torah, i.e. the belief in one God only]. Rather, it is evident that [this passage] refers to another [Jesus], who did not deny both the Written Torah and the Oral Torah and was [merely] called a heretic.”¹⁰⁸ This is a rather audacious line of defense. Rabbi Yehiel, in order to bolster his claim that the talmudic passage does not refer to Christianity’s Jesus, argues that it refers to a heretical Jesus whose divergence from Jewish belief was milder than that of Jesus of Nazareth. In the process, the rabbi makes a number of damning allegations about the seriousness of the offenses of the Christian Jesus. Clearly, Rabbi Yehiel concluded that the offensiveness of his own portrayal of Christianity’s Jesus was warranted by the objective of dismissing the incriminating passage in question. Judging from the reaction of the Christian author of the “confessions,” the dangerous ploy was not very successful in convincing the Christian audience gathered in Paris that the Jesus of this talmudic passage was not their Jesus.

The second talmudic passage cited by Donin identifies the figure in question as Jesus of Nazareth, thus there can seemingly be no Jewish argument that another Jesus is involved. The passage is portrayed as depicting the Jewish condemnation of Christianity’s Jesus in the following terms: “When Jesus came

¹⁰⁷ Disputation, p. 136.

¹⁰⁸ Ibid.

out to be stoned, the announcement preceded him by forty days saying, 'Jesus of Nazareth goes forth to be stoned, because he practices magic, incites and leads astray. Let any who have favorable knowledge come forth and testify favorably about him.'" Donin concludes: "Indeed they have called him a magician, an inciter and an insurgent."¹⁰⁹

Rabbi Yehiel makes no suggestion at this juncture that this passage refers to a figure other than the Christian Jesus. To be sure, there are a number of details in the passage that diverge markedly from the New Testament accounts of Jewish culpability for Jesus' death. Here, the death is supposedly by stoning and the process is a prolonged one, with forty days elapsing during which defense of the incriminated Jesus is solicited. Despite these discrepancies, the rabbi initially makes no effort to deny the talmudic evaluation of Christianity's Jesus as "a magician, an inciter and an insurgent." Indeed, according to the Hebrew narrative, Rabbi Yehiel himself had leveled such charges in the prior exchange, highlighting the fact the Jesus depicted in the netherworld was a different Jesus, guilty of far less heinous infractions than the Christian Jesus.

The rabbi offers multiple observations in defense of this passage. He begins by saying, "Did they not stone him, and you absolved us of this in as much as we were not there." This line of defense is a bit murky. Rabbi Yehiel seems to be suggesting that the charges against Jesus were leveled by the Jewish leadership in first-century Jerusalem and that subsequent Christian authorities absolved latter-day Jews from culpability for these first-century Jewish views. Thus, the Talmud is merely reproducing first-century Jewish perceptions of Jesus from which later Jews – including the rabbis of the Talmud – had been absolved. Indeed, Rabbi Yehiel himself had previously depicted Jesus in similar terms, ostensibly citing the first-century perceptions, which later Jews did not share.

To this, the rabbi adds a further – again somewhat curious – line of defense: "And it is certainly a wonder that, according to this tale, they stoned him and yet did not mention him frequently thereafter. And they did not refer to him at all in the Talmud, except briefly on the occasion of this incident; for they apparently had a vision through the holy spirit that you were destined to inquire and to examine us about this matter and for this reason they did not mention it again!"¹¹⁰

Here, the claim is that the Talmud includes a citation of first-century Jewish thinking about Jesus, but then refrains from any further mention of him.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

This buttresses his prior contention that the previous talmudic passage about a Jesus in the netherworld refers to a different Jesus, a claim that the rabbi will shortly make about yet another talmudic tale. Thus, the Talmud makes only one reference to Jesus. In this one reference the first-century perspective of those Jews who condemned him is cited, but that implies no culpability for later Jews, who have been specifically absolved of sharing that first-century assessment.

The third talmudic passage cited by Donin focuses on the venerated figure of Mary, rather than Jesus. Donin asks about yet another passage, this time in Tractate Sanhedrin: “Concerning what hanging victim did they speak, whom they referred to as ‘the son of a *sotah*?’”¹¹¹ For thus is it written at the end of the chapter *Arbah mittot*, ‘And so they did to the son of Stada in Lod; they hanged him on the eve of Passover.’” The talmudic passage proceeds to identify the mother of this hanged figure: “The partners of Stada [were as follows] – the cohabitor was Pandira; the husband was Papos ben Judah. This says that his mother was Stada. but his mother was Miriam the dresser of women’s hair, as the men of [Pumbaditha] say, ‘She deserted her husband and for this she was called a *sotah*.’”¹¹²

Interestingly, this talmudic tale elicits immediate crowd reaction, which is not reported for the prior quotations of talmudic material seemingly hostile to Jesus: “The bishops became very angry and called out, ‘Why have you spoken in this way about Miriam? What did she do to you?’” This reaction seems to reflect the broad veneration for Mary in mid-thirteenth-century France. It also seems to reflect the sense that Jews might well have a quarrel with Jesus, but that all the anti-Jesus allegations have no relevance to the pure, saintly, and utterly inoffensive Mary.

Rabbi Yehiel is quick to respond to the crowd anger and to deny vigorously any Jewish animus toward Mary: “Know that you have spoken correctly [in asking what Jews have against Mary], for we have nothing to say against her, for what is her sin and what is her transgression? And she was, after all, of our flesh and bone. Nothing in the Talmud or aggadah speaks against her.” Jews have nothing against Mary; if anything, they harbor a measure of appreciation for her as a Jewess. What then of the passage introduced by Donin? “And that which he [Donin] cited concerns another [Miriam] entirely.” Once more, the

¹¹¹ A *sotah* is a rebellious woman and is judged harshly in biblical and rabbinic literature.

¹¹² Disputation, pp. 136–137.

rabbi claims that alternative figures from the Jewish community in Palestine are referenced. Here, the stakes are – if anything – even higher.

Again, Rabbi Yehiel does more than simply assert that a different Mary is reflected in the talmudic passage; he marshals an extensive and detailed case for his claim. This case includes the following elements:

- The site of the hanging referenced in the passage is Lod, while everyone knows that the Christian Jesus was executed in Jerusalem;
- the name of the husband of Stada differs from the well-known name of Mary's betrothed;
- the figure of Mary the dresser of women's hair is cited in a different talmudic passage, which places her four hundred years after the lifetime of Jesus.¹¹³

On all these grounds then, the rabbi argues that the mother of the figure hanged in Lod could not possibly be Mary, the mother of Jesus. Jews have nothing negative to say about the Christian Mary, and the passage introduced by Donin has nothing whatsoever to do with her.

According to the Hebrew narrative, this focus on dating leads Rabbi Yehiel to himself introduce another talmudic story about a Jesus, one that is seemingly more factual. This story, found in Tractate Sotah, portrays an extended incident with a major early rabbinic figure – Joshua ben Perahiah – who “pushed away Jesus with both hands.” In the story, Joshua excommunicated this Jesus, who made repeated efforts to win back Joshua's grace. Eventually giving up on these futile efforts, this Jesus “went and set up a brick and worshipped it.” After quoting the story, the rabbi proceeds to careful reconstruction of its chronology and concludes that the Jesus of this tale lived two hundred years prior to the Christian Jesus. In fact, the rabbi now claims that this much earlier Jesus is the one referenced in the story of the stoning. This leads to the altered conclusion that “in the entire Talmud, he [the Christian Jesus] is not mentioned.”¹¹⁴ This is a yet more radical stance than the rabbi's initial reaction to the talmudic account of the stoning of a Jesus. Now, the rabbi claims that this tale as well involves a different Jesus. In fact, he now argues that the Christian Jesus is never cited in the Talmud.

¹¹³ Ibid., p. 137.

¹¹⁴ Ibid., p. 139.

The Hebrew narrative is fully aware that the Paris onlookers were highly skeptical of this claim of multiple figures with the name Jesus. These onlookers are made to express incredulity at the claim, and the rabbi is portrayed as responding: “Not every Louis who is born in France is king of France. Is it not possible that two men were born in a certain city with the same name and that both die the same death? There are many cases like this in the land.” Rabbi Yehiel pushed energetically this new stance that disavows any mention of Jesus in the Talmud. At this point, the queen mother is portrayed as once again entering the discussion. She seems to support the rabbi, at least as regards his claim that the opening passage, which depicts a Jesus in the netherworld, does not refer to the Christian Jesus. On the other hand, she addresses the rabbi and asks: “On your honor, are you telling the truth?” The rabbi’s response is: “Yes! As I live and will return to my home, we have never deemed that he [Jesus] was sentenced to boiling excrement nor spoken of him in such words.”¹¹⁵

The author of the Hebrew narrative seems to equivocate a bit at the end of this exchange. On the one hand, he has the rabbi conclude by asserting that the Talmud contains no reference to the Christian Jesus; at the same time, the Christian prosecution and the Jewish defense is made to revolve around the most offensive of the talmudic passages cited by Donin, the one that depicts Jesus in the netherworld. In any case, the Jewish defense sketched out in the Hebrew narrative revolves basically around the claim that seeming references to a Jesus in the Talmud do not refer to the Christian figure by that name.

The Charge of Anti-Christian Attitudes and Behavior

By far the Donin charge dealt with at greatest length in the Hebrew narrative involves a variety of allegations of the Talmud’s sanctioning of anti-Christian thinking and behavior, ranging from demeaning Christians to cursing them, annulling oaths made to them, and inflicting physical harm upon them. Once more, Donin had gathered copious evidence of this alleged support of anti-Christian thinking and behavior, and the rabbi had to address carefully each of the sources cited. The sources cited by Donin include both halakhic rulings and aggadic statements. The rabbi had to deal with these two disparate sets of sources in alternative ways, but is regularly portrayed as fully attuned to the nature of the evidence adduced by his rival.

115 Disputation, p. 140.

The mildest of the purported anti-Christian thinking and behavior reflected in the Donin allegations and in the Hebrew narrative is the claim that Jews regularly demean Christians. Donin advances this claim in the following manner: “Here it is written in your Torah that our cattle are more beloved [sexually] to us than our wives, as Rabbi Yohanan said, ‘When the serpent copulated with Eve, he infused her with contamination. The contamination of the Israelites who stood at Sinai came to an end? Did [the contamination of] the gentiles who did not stand at Mt. Sinai [also] cease?’”¹¹⁶ Nicholas Donin is portrayed as asking the rabbi a rhetorical question, with the obvious answer – in the view of the Talmud – that the contamination of the gentiles did not cease. In fact, the extant citation in the Talmud makes the clear-cut assertion that the contamination of the gentiles did not cease.

The defense that Rabbi Yehiel mounts is standard for many of these allegations of anti-Christian thinking and behavior. It involves a careful examination of the meaning of the talmudic term “gentiles.” According to the rabbi, the term as used in the Talmud refers to polytheistic non-Jews, who lacked the moral restraints imposed by divine law. Whatever their religious shortcomings might be, Rabbi Yehiel distinguishes Christians from these polytheists. His formulation with regard to the demeaning of gentiles is especially sharp: “This [passage] refers to none other than the same gentiles of whom I spoke to you: the Canaanites and Egyptians who behaved lewdly and did not stand at Mt. Sinai and did not accept the Torah. But as for you, who accepted the Torah, and your god, who did not come in order to destroy our Torah and did not add or subtract from it, according to your own words, your contamination has departed from you, and the sages of the Talmud were not speaking of you.”¹¹⁷ The term “gentile” in the talmudic passage cited by Donin bears no relation to the Christians among whom medieval Jews now live. Repeatedly, Rabbi Yehiel invokes this defense.

The attack on purported talmudic support for Jewish anti-Christian behaviors next turns to the allegation that Jews regularly curse their Christian peers. This claim is grounded in a widely known section of the daily Jewish liturgy, which calls for divine wrath against opposition groupings. Donin cites this prayer and carefully parses its terminology to show that the objects of the curses are key elements in Christian society. The first group specified in the prayer – the *meshumadim* – is projected by Donin as a reference to the Christians pop-

¹¹⁶ Ibid., p. 152.

¹¹⁷ Ibid., pp. 152–153.

ulace in its entirety, and the second group – the *minim* – is projected as the priests. The third group – the *mal'kut zadon* – is projected as a reference to the secular authorities of Christendom.¹¹⁸ Donin closes on a powerful note: “Was there ever a people like this? They curse the gentiles and the priests and, with all their might, portray them detestably.”

In his response, Rabbi Yehiel once again acknowledges the reality of the prayer, but contests Donin’s reading of it. According to the rabbi, the prayer does not refer to Christians, but rather to internal Jewish dissidents, “those who believe in the Torah of Sinai, but not in the Talmud.”¹¹⁹ In taking this position, Rabbi Yehiel achieves two objectives simultaneously. On the one hand, he deflects the accusation that Jews curse Christians; at the same time, he reaffirms the centrality of the Talmud within Judaism. Those who reject it read themselves out of the Jewish community and bring down upon themselves Jewish curses.

The rabbi’s defense sparks an interesting exchange. Donin cites the great eleventh-century French commentator Rashi as indicating that the deprecatory prayer is in fact intoned against Christians, suggesting that the rabbi – who surely knew and venerated Rashi – was disingenuous in this line of defense. In response, Rabbi Yehiel indicates internal disagreement among the rabbis of medieval France on a wide range of issues, noting that in generations subsequent to Rashi his views were often challenged. Moreover, according to Rabbi Yehiel, Rashi is actually internally inconsistent in regarding the heretics of the prayer as Christians, since heresy is regularly defined by him as disavowal of talmudic law, while Jesus and his followers did more than repudiate the Talmud. This line of argumentation is reminiscent of the distinction the rabbi drew in his discussion of some of the Jesus passages in the Talmud between internal Jewish heretics, who denied the Talmud, and Jesus of Nazareth, who denied more fundamental Jewish religious truths.

With the focus on oaths and their annulment, Donin’s attack moves from anti-Christian attitudes to anti-Christian behaviors. The issue of oaths was raised at the very outset of the proceedings with the demand that Rabbi Yehiel

118 The history of this Jewish prayer has been dealt with exhaustively by Ruth Langer, *Cursing the Christians? A History of the Birkat HaMinim* (Oxford, 2011). In addition to her overview of the history of this prayer, Langer also provides an invaluable appendix of various versions of the prayer. On pp. 85–87, Langer discusses the appearance of this prayer in the Paris proceedings.

119 Disputation, p. 154.

take a vow of truthfulness, which he refused to do. About midway through the Hebrew narrative, this issue is raised as an explicit anti-Talmud charge by Donin. The opening ploy is a bit strange. Donin begins by citing a talmudic tale that portrays God asking a rabbi to release him from an oath he had taken. This seems to be yet another allegation of Jewish blasphemy against God, but in fact Donin quickly takes another tack: "Who can gaze at you, at these words saying that the Lord regrets that he swore an oath? And they shamed Rabbah that he did not say [to God] 'You are released!' This is their [the Jews'] way, their foolishness, that they say that everyone who vows or swears may have his friend render his oath invalid." The story of God and his request for annulment of his oath is presented by Nicholas Donin as reflective of the Jewish sense that oaths can be readily annulled, making the Jews utterly untrustworthy in their relationships with Christians.

Donin proceeds from this curious opening to a more focused set of allegations rooted in actual Jewish practice: "Each and every year on Yom Kippur they resolve to expunge the vows and oaths that gentiles have extracted and for this reason they do not fulfill a vow or oath to a gentile. Furthermore, it is found in Tractate Nedarim, 'One who wishes not to uphold his vow shall stand on the Day of Atonement and recite *Kol Nidre* etc.' And it [the Talmud] declares that three ordinary men may expunge a vow. In this way, they [Jews] do not fulfill a vow or oath to any gentile. This is a people unlike any other, for they have no integrity."¹²⁰ Talmudic laws involving oath-taking in effect make the Jews socially irresponsible in their dealings with the non-Jewish society within which they live.

Rabbi Yehiel opens his rebuttal with the story with which Donin had begun, which fell into the realm of aggadah. He again cites multiple biblical sources that portray God as regretting oaths he had taken, arguing once more that what is acceptable in the Bible is likewise appropriate in talmudic aggadah. Quickly, however, the rabbi shifts to the halakhic issue reflected in the aggadic tale. Donin had suggested that the aggadic story reflects the general Jewish disposition to violate oaths. The rabbi reads the tale more closely. According to the rabbi, the divine voice said: "'Who will annul me,' which is to say, 'Who is able to annul me [my oath]?' None, until the end of time."¹²¹ Thus, the story projects the opposite of Donin's conclusion, i.e. Jewish veneration of oaths and the Jewish sense of their inviolability.

¹²⁰ Ibid., pp. 140–141.

¹²¹ Ibid., p. 142.

However, the rabbi still has to deal with the upbraiding of the rabbi in the story for not annulling God's oath. At this point, he introduces a legalistic issue related to oath-taking. According to Rabbi Yehiel, talmudic law recognizes legitimate instances of the annulment of oaths. One such instance involves oaths taken in anger – such oaths may be legitimately and properly annulled. Since the prophet Jeremiah indicates that the divine decision to exile the Jews from their land was in fact taken “in anger and wrath and great rage,” it would have been proper for the rabbi to annul this ill-conceived divine oath. Again, the real issue here is Jewish attitudes toward oath-taking, and the rabbi has argued – through his reading of the aggadic tale – that Jews are deeply respectful of oaths, while stipulating that oaths taken in anger may rightly be annulled.

The legalistic approach to oath-taking reflected in the rabbi's analysis of the aggadic story sets the stage for his grappling with the weightier issues embodied in the halakhic sources cited by Nicholas Donin. The *Kol Nidre* prayer intoned by Jews at the outset of the Day of Atonement liturgy is of course acknowledged by the rabbi as a reality, but must – he insists once more – be understood properly. According to Rabbi Yehiel, this prayer does not – as claimed by Donin – set in motion automatic annulment of Jewish oaths made to non-Jews. Rather, the annulment of vows for which Jews prepare in the *Kol Nidre* prayer once again involves a very specific class of vows, viz. those taken in error. As proof of his contention, the rabbi directs the attention of the Paris jury to the conclusion of the prayer: “To all the community of Israel pardon will be granted as the entire people has sinned erroneously.”¹²² Oaths taken under the influence of anger may be annulled; oaths taken in error may be annulled; otherwise, Jews are scrupulous in their honoring of vows.

Nicholas Donin had leveled a third charge with regard to Jewish oaths, viz. the claim that Jewish law makes the annulment of oaths extremely easy. Three Jews can serve the purpose of annulling a fellow Jew's oath. Here again, the rabbi introduces legalistic detail: “[T]hese [the oaths that can be annulled by three fellow Jews] include only those oaths assumed by an individual upon himself and that do not affect any other person. Vows, however, between a man and his fellow, no one may annul, except with the assent of his fellow.”¹²³ Once more, the rabbi is suggesting that Donin has failed to grasp the niceties of Jewish law. Vows can in fact be annulled through three fellow Jews, but again only a limited class of vows is involved – those vows that a Jew takes upon himself.

¹²² Disputation, p. 142.

¹²³ Ibid.

Vows that include obligations toward a fellow human can only be annulled with the assent of the fellow human himself. Jewish law regarding vows does permit annulment of oaths, but it is scrupulous with respect to obligations undertaken toward others.

Rabbi Yehiel concludes his rebuttal of the Donin allegations about Jewish vows by making a positive assertion of profound Jewish respect for oaths: “On the subject of vows, they [the rabbis] cautioned us even more than other nations, for even if an individual [Jew] swears to injure himself, he is obligated to fulfill the oath.”¹²⁴ Oaths taken in anger or in error or toward oneself can be annulled. Otherwise, oaths taken by Jews must be carefully fulfilled, even if the oath is costly in some way to the oath-taker. Seen against the backdrop of this discussion of Jewish attitudes toward vows, the rabbi’s refusal to take an oath at the outset of the deliberations takes on heightened meaning. Rabbi Yehiel has exemplified the general Jewish reverence for oaths by his steadfast refusal to take one, since he had all through his life been careful to avoid oath-taking out of his respect for the sanctity of vows.

There is a special quality to the Hebrew narrative’s portrayal of Nicholas Donin’s case for talmudic support for physically inflicting harm on Christians. The Jewish author portrays a staccato burst of citations by Donin, all intended to show Jewish willingness to see harm inflicted on Christians or to allow Jews to inflict harm on their Christian neighbors. This is an especially explosive set of charges, given the societal backdrop. By 1240, the allegation that Jews gratuitously murdered Christian children was a century old and had gained considerable traction in European society at large. The imaginative embellishments added to the basic theme – the allegation that these murders were carried out in ritual fashion and were actually a part of Jewish religious obligation – served to strengthen perceptions of murderous Jewish hostility. Thus, Donin’s citation of numerous sources that seem to reflect talmudic support for anti-Christian actions intended to inflict physical harm was dangerously damning.

The set of sources cited by Donin fall into two major categories – a more passive category in which Jews are seemingly enjoined to stand by as gentiles are in situations of life-threatening danger and a more active category of aggressive anti-gentile actions. One of the earliest of the sources cited illustrates the former category: “Gentiles and shepherds of small cattle, [we do not] throw them into a pit nor [do we] rescue them from a pit.’ Even when drowning in

124 Ibid., p. 143.

the pit, you are not obligated to bring him up.” To Donin, this is utterly reprehensible. More striking yet are the more active and aggressive statements, such as Donin’s opening salvo: “Who brought you to that which you say, ‘The best of gentiles shall you kill!’” This latter involves more than standing by passively as gentiles face danger – here Jews seem to be enjoined to kill gentiles. Donin follows up with a sequence of talmudic statements that seemingly condone or even require killing gentiles:

- A gentile who observes Shabbat is culpable for death.
- A gentile who engages in Torah study is culpable for death.
- A gentile may be put to death [on the testimony of] one witness and without forewarning.
- It is permissible to rob and steal the funds of the gentile and to mislead him.¹²⁵

These are all inflammatory charges against the Talmud and against Jews who live by talmudic law.

Some of the lines of the rabbi’s defense are by now predictable. One key is the need to define carefully the meaning of the term “gentile.” Time and again, the rabbi distinguishes between the lawless polytheists of earlier times and the Christians of Europe among whom Jews now live. The former were extremely dangerous because of their lack of the most basic principles of ethical behavior; the latter can be criticized on a series of religious grounds, but their basic commitment to morality and decency is obvious. In regard to the charge of talmudic support for anti-Christian actions, Rabbi Yehiel makes his most extended and striking statement of this distinction:

I shall prove to you that every mention of “gentile” does not refer to their [Christian] custom. For you know that we observe the Torah with all our souls. How many of us have been stoned and burned and drowned and murdered and strangled for its [the Torah’s] sake? Yet all that is forbidden in the case of gentiles, we do [permit ourselves to] do among these [Christian] gentiles. For we are taught, “For three days preceding the holidays of gentiles it is forbidden to engage in trade with them.” Go out now into the Jewish street and see how many [do business] even on the very holiday itself. And further we are taught, “Do not board cattle in the barns of gen-

¹²⁵ Disputation, pp. 145–146.

tiles,” yet every day we sell cattle to gentiles and make partnerships with them and are alone with them and entrust our infants to their households for nursing and teach Torah to gentiles, for see, there are [Christian] clerics who know how to read a Jewish book.¹²⁶

Distinguishing between pagan gentiles and Christian gentiles is – argues Rabbi Yehiel – by no means an arid and casuistic line of argumentation. Jewish patterns of behavior in Christian Europe prove beyond a shadow of a doubt that Jews in their everyday life make this distinction. A series of talmudic prohibitions are regularly flaunted by European Jews, famed for their intense commitment to talmudic law. This can only mean that these Jews and their rabbis recognize regularly that the Christians among whom they live are unquestionably different from the earlier gentiles against whom the rabbis of the Talmud legislated.

Rabbi Yehiel reinforces his argumentation by making a lengthy series of positive assertions about Jewish obligations to non-Jewish neighbors. While we have noted this tendency previously, at no point does the rabbi make as protracted a positive case as he does with respect to Jewish relations to non-Jews. He adduces a string of talmudic teachings that attest to Jewish respect for non-Jews.

- It is prohibited to bewilder him [a gentile] with subtle arguments ...
- We are further taught to support the poor of the gentiles the same as the poor of Israel.
- Furthermore, a man is obligated to greet gentiles politely first. And we are taught in the chapter *Hanezikin* that assistance may be given to gentiles on the sabbatical year, and its explanation is that we greet them politely to give assistance.
- It is further taught that we visit the sick of the gentiles along with the sick of Israel and that we bury the dead of the gentiles along with the dead of Israel.
- And we do not impede the poor of the gentiles from gleaning, [collecting the] forgotten [sheaves, or harvesting the] corners [of the fields].
- And Rabbi Yohanan rose up before an elderly Aramean, in his honor.¹²⁷

¹²⁶ Ibid., p. 151.

¹²⁷ Ibid., p. 150.

Here, Rabbi Yehiel moves well beyond defending the Talmud against the charge of inciting anti-Christian actions to asserting that in fact the Talmud insists upon honorable behavior on the part of Jews to their non-Jewish peers.

The allegations leveled against the Talmud by Nicholas Donin before the Paris ecclesiastical jury were serious and required careful rebuttal. The Hebrew narrative shows Rabbi Yehiel providing extended and thoughtful refutations of the Donin charges. Clearly, his arguments were not well received by the clerics gathered at the trial. The Talmud was condemned in Paris and burned. Nonetheless, the efforts of the rabbi were by no means ineffective or pointless. As we have seen, the position espoused by the Paris jury and supported by the rulers of France was not shared elsewhere. As Jewish communities across western Christendom encountered these same charges, the positions attributed to Rabbi Yehiel served these Jewish communities and their leaders well in defending themselves. They could insist on the fact that great Church leaders had long been familiar with the Talmud and had expressed no misgivings about it. These Jewish communities and their leaders could invoke Rabbi Yehiel's argument that the anti-Talmud charges were rooted in a misreading of the talmudic citations. Great care had to be taken in understanding the identity of figures with the name Jesus in the Talmud, and great care had to be likewise exercised when encountering the term "gentile" in the Talmud. Indeed, rather than demeaning non-Jews or encouraging actions against them, the Talmud insists on the highest level of probity for Jews relating to their Christian peers.

There is yet one more message delivered by the author of the Hebrew narrative to his Jewish readers. This message moves from the terrestrial plane on which the assault against the Talmud had been launched to the divine plane. We have noted earlier the lament composed by the young Rabbi Meir of Rothenberg over the burning of the Talmud, with its anguish at the sight of the sacred pages going up in smoke and its questioning of the God who allowed this sacrilege to take place. While the focus of the Hebrew narrative is the immediate assault initiated by Nicholas Donin, the elements in that assault, and the appropriate responses to it, the Jewish author of the narrative account of the trial of the Talmud addresses the broader issue of the Talmud and its ultimate fate briefly but significantly. Our author clearly set out to reassure his Jewish readers that the current attack on the Talmud is local and transitory only and that God's mercy and protection have always extended and will continue to extend to his Oral Torah.

At the outset of the Hebrew narrative, Rabbi Yehiel is portrayed as indicating the indestructibility of the Talmud: "[T]his Torah of ours [the Talmud]

is found in Babylonia, Media, and Greece, and among Ishmael and among the seventy peoples on the far side of the River Kush.” This is a ringing statement of the universality of the Jewish people and their Talmud. There is considerably realism in this statement, despite its invocation of “the seventy peoples on the far side of the River Kush.” In the middle of the thirteenth century, the world’s Jewish population was widely distributed, with the largest set of Jewish communities spread throughout the vast Islamic realm. Thus, the rabbi’s claim is realistic.

Indeed, the centrality of the Talmud to Jewish life is reflected in the profound Jewish commitment to it. The prior statement purportedly elicited an interesting exchange. The rabbi is made to conclude this impassioned statement by saying summarily, “[O]ur bodies are in your power, but not our souls.”¹²⁸ This is again an assertion of Jewish commitment to the Talmud and willingness to suffer on its behalf. However, it leads in a striking direction. The author portrays a member of the royal court – not the ecclesiastical hierarchy – calling out, “No one shall harm you.” The rabbi’s assertion that Jewish bodies lie in Christian power elicits an insistence on the traditional Church doctrine of the safety of Jews in Christendom. Rabbi Yehiel is portrayed as rejecting this reassurance and thereby angering the queen mother, who says, “Do not speak again in such words, for it is our intention to protect you and all that is yours. All who do harm to you incur sin and iniquity. Thus we find in our books and from the pope.”¹²⁹ Reflected here is both the intense Jewish commitment to the Talmud and the concern for the impact of the Paris proceeding on the image of the Jews in popular circles.

The Paris manuscript ends on a traditional note, invoking the merciful and protective God who had chosen the Jews as his people and had delivered the two revelations – of the Written Torah and the Oral Torah.

[A]s it is written: “The law of the Lord is perfect, reviving the soul ... the ordinances of the Lord are true and righteous altogether.” It [the Torah] protects those who study it. And our God, praised be his name, the God of heaven and the God of earth, who created the sea and dry land and enabled our ancestors to cross the Reed Sea, and brought them near and gave us the Torah of truth, will have mercy upon us for the sake of his name and his Torah. And he will do good for us for the sake of his love, returning to us

¹²⁸ Disputation, p. 130.

¹²⁹ Ibid.

the portion of our legacy and the pleasantness of our Temple, that which we long for, the beloved of our hearts and eyes, and he will illumine our darkness and gather our dispersed to the resting place of our heritage, swiftly and soon. Amen and amen.¹³⁰

There is truly no cause for despair. The God of Israel is still the only true God, and the Jews are his chosen people. Rabbi Yehiel is made to insist throughout on the unswerving devotion of the Jews to God's Torah – both in its written version and its oral version. This consummate devotion cannot fail to have the desired impact on the God of the universe, who will reward his loyal Jews with the redemption for which they yearn.

The Aftermath

The trial of the Talmud in Paris in 1240 was surely a dramatic event, as were the subsequent burnings of many exemplars of the book Jews held sacred as their Oral Torah. For rabbis to be gathered in 1240 in one of Paris's royal palaces to defend the Talmud before a jury of distinguished Church leaders and in the presence of major luminaries of the royal court, including the queen mother, surely constituted an imposing and frightening spectacle. For the Jews of Paris to watch copies of the massive Talmud – each one copied laboriously by hand – go up in flames must have been heart-rending. The lament penned by the young Rabbi Meir of Rothenburg attests to the feelings of cosmic catastrophe that Jews witnessing the burnings felt.¹³¹ Hearing the Talmud recurrently prohibited must have shocked and saddened the Jews of France. Nonetheless, we must carefully distinguish between the dramatic and the transformative.

Contemporary historians in general and medievalists in particular have come to avoid undue focus on great individuals and major events. In the words of one of the twentieth century's finest medievalists, R.W. Southern:

This silence in the great changes of history is something which meets us everywhere as we go through these centuries [the medieval centuries]. The slow emergence of a knightly aristocracy which set the social tone of Europe for hundreds of years contains no dramatic events or clearly decisive moments such as those which have marked the course of other great

¹³⁰ Disputation, p. 166.

¹³¹ Hebrew Dirge.

social revolutions. The economic fate of Europe and its position in the world was transformed during this period, but this revolution was occasioned by no conspicuous discoveries or inventions which focus our attention. There were of course resounding events: the capture of Jerusalem by the Crusaders in 1099, and of Constantinople by their successors in 1204, are great moments for good or ill, but their greatness lies less in their practical consequences than in their indication of forces at work in the world. Indeed it is characteristic of the period that the importance of events is to be measured less by the decisions which they enforce than by their symbolic value as revelations of change or as portents of things to come.¹³²

The trial and condemnation of the Talmud was a “resounding event” in the history of the Jews in medieval Europe, an event that was profoundly mourned at the time and that has evoked the interest of those concerned with the history of medieval Jewry ever since. However, as Southern suggests, this event – as painful as it was – did not entail in its wake wide-ranging change in European Jewish life, especially once the papal policy of censorship of the Talmud was put in place. The importance of the trial and condemnation of the Talmud – again as suggested by Southern – lies ultimately in its “symbolic value” as “a revelation of change.” We shall examine first the changes or the lack of significant changes in European Jewish life in the wake of the trial and condemnation of the Talmud and then analyze these events “as portents of things to come.”

The charges leveled by Nicholas Donin and supported by Pope Gregory IX had the potential for radically altering the stance of the Roman Catholic Church toward Judaism and Jews. If the Talmud were proven to be a marked deviation from the Hebrew Bible and thus an offensive dismissal of biblical truth, then rabbinic Judaism might well have been outlawed by the Church, reversing its long-held position of respecting the legitimacy of Jewish doctrine and practice. In fact, however, this did not happen. As noted, Pope Innocent IV retreated from the extreme stance seemingly articulated by his predecessor and restated the right of Jews to live according to the dictates of their Oral Torah, as formulated in the Talmud. Even Odo of Chateauroux and his Paris colleagues, who rejected the papal call to return the censored Talmud to the Jews, abandoned the denunciation of the Talmud as a rejection of genuine divine revelation.

132 R.W. Southern, *The Making of the Middle Ages* (New Haven, 1953), 12–13.

To be sure, the Talmud was perceived by the post-1240 Church as including offensive and intolerable teachings. The papal solution to this dilemma – the essential legitimacy of rabbinic Judaism along with the offensiveness of passages within its core literature – was to encourage the European secular authorities to have copies of the Talmud carefully scrutinized, with offending passages meticulously excised. While such scrutiny of the Talmud was hardly welcome to the Jews of Europe, it by no means represented a horrific innovation in their circumstances. In the pre-printing-press era, censorship of Talmud manuscripts was a protracted and laborious task, with each manuscript requiring full scrutiny. To be sure, with the advent of mass printing the task became somewhat easier and could be carried out more efficiently.¹³³

A byproduct of the trial and condemnation of the Talmud in ecclesiastical ranks may well have been further stimulation to the incipient Church backing for study of the Hebrew language. The key element in the campaign against the Talmud was the knowledge of its language provided by the convert Nicholas Donin. With the eventual conclusion that the Talmud had to be regularly monitored for offensive material, the need for experts in Hebrew was to become ongoing, and dependence on converts did not promise the requisite number of such experts. Additionally, at about the same time a second use for Hebrew knowledge was initiated by yet another convert from the Jewish community who eventually became a Dominican friar and a missionizing preacher to the Jews. Friar Paul Christian argued to Jewish audiences that their rabbis of old in fact accepted core Christian truths. Medieval Jews – according to Friar Paul – had to acknowledge this reality and accept these same Christian truths.¹³⁴ Thus, from this additional perspective, Christian society would benefit markedly from enhanced knowledge of Hebrew. Settings for the study of Hebrew proliferated, with the eventual training of a significant number of churchmen fluent in the language.

The Church's point of view on all issues was of course crucial in medieval Europe, but how the ecclesiastical perspective was understood and adopted by the secular authorities was equally important. In the case of the stance on the Talmud, understanding of the Church view was complicated by the reality of alternative ecclesiastical conclusions flowing from the trial of the Talmud. In

133 Amnon Raz-Krakotzkin, *The Censor, the Editor, and the Text: The Catholic Church and the Shaping of the Jewish Canon in the Sixteenth Century*, trans. Jackie Feldman (Philadelphia, 2007).

134 See Chazan, *Daggers of Faith*.

royal France, the position on the Talmud articulated by Bishop Odo in his 1248 document of condemnation remained in force. In this document, the Talmud was no longer prohibited as inherently intolerable by virtue of replacing divine revelation with human law; rather, it was prohibited for specific content deemed so offensive as to render censorship an insufficient response to this intolerable material and the danger it posed. Given the offensiveness of this talmudic material in the eyes of Bishop Odo and his colleagues, only outright prohibition of the Talmud would suffice. The shift from presenting the Talmud as inherently intolerable to outlawing it because of its allegedly offensive passages meant in effect that the Talmud could be outlawed in France, while practice of rabbinic Judaism could be and was permitted.

The Talmud was prohibited repeatedly by French kings, beginning with Louis IX. Indeed, when the Jews – who had been expelled from royal France in 1306 – were readmitted by King Louis X in 1315, the royal edict included many protections and benefits for those Jews who might wish to re-establish themselves in France. *Inter alia*, Jews were free to attempt to reclaim their synagogues, cemeteries, and books. With regard to the last, the following was stipulated: “Likewise, the books of their law which are still held by us, which were not sold, shall be returned to them, except for the condemned Talmud.”¹³⁵ Seventy-five years after the condemnation of the Talmud in Paris, as a result of the jury trial held there, the condemnation remained in effect, although in the milder form articulated in 1248.

While the Talmud was regularly prohibited in France, there is no evidence that rabbinic Judaism itself was prohibited by the French monarchy, condemnation of the Talmud notwithstanding. Because of the purported errors of content, the Talmud was outlawed, but practice of Judaism grounded in the Oral Torah does not seem to have been affected. The Oral Torah as an abstraction was deemed acceptable; the Talmud as a particular embodiment of the Oral Torah – albeit an authoritative embodiment of the Oral Torah – was declared intolerable because it had come to contain material so offensive that mere censorship would not eradicate its intolerability.

We have noted the conversionist preaching of Friar Paul Christian in Paris in the late 1260s and early 1270s, the Hebrew narrative account of that preaching, and the reference to Nicholas Donin included therein.¹³⁶ This account

135 Robert Chazan, *Church, State, and Jew in the Middle Ages* (New York, 1980), 82.

136 See above, in the section on the *dramatis personae*, pp. 41–43.

opens with a statement by the Christian preacher, Friar Paul, of his intention to show the Jews of Paris that their own rabbis of yore acknowledged key Christian truths. The Jewish rebuttal to Friar Paul's opening thrust begins very much along the lines articulated in the Hebrew narrative account of the Paris trial. Rabbi Abraham – like Rabbi Yehiel – indicates that the Church had been aware of the Jewish Oral Torah for more than twelve hundred years and that, during that lengthy period of time, no churchmen had raised issues about it – neither condemning it for the reasons advanced by Nicholas Donin nor exploiting it in the way now proposed by Friar Paul.

The rabbi then notes the conspicuous exception of one apostate – clearly Nicholas Donin – from the time of Rabbi Yehiel, a few decades earlier. After depicting briefly the Donin assault on the Talmud, the rabbi concludes: “Ultimately, you [Christians] realized through the words of the rabbi [Rabbi Yehiel] that there was no substance to the words of the apostate, and he retreated.”¹³⁷ In the light of our foregoing analysis, this is a somewhat strange Jewish report. Donin had achieved a favorable outcome from the Paris jury, which had led to a formal condemnation of the Talmud in 1248. However, reflected in all likelihood here is a Jewish sense that the Paris condemnations had not in fact impinged on the actual practice of Jewish Oral Torah by French Jewry during the two decades that had elapsed between Nicholas Donin and Friar Paul.

Elsewhere in Europe, the secular authorities tended to follow the milder view of the Talmud articulated by Pope Innocent IV in 1247. In this view, there was indeed objectionable material in the talmudic corpus, but the offensive passages were sufficiently circumscribed to make censorship a viable solution to the problem. Medieval Christendom could not of course tolerate blasphemous statements about Jesus, Mary, and the Church; however, since such statements were relatively few, careful scrutiny of Talmud manuscripts – especially with the assistance of the growing number of Christians capable of reading and understanding Hebrew – would ensure that the problem was being properly addressed. To be sure, censorship of Talmud manuscripts prior to the invention of the printing press was an arduous process, but the secular authorities seem to have been comfortable taking on the responsibility or at least pretending to do so.

Thus, on the official levels – both ecclesiastical and secular – the impact of the trial of the Talmud and its burnings was limited. It is likely that the impli-

137 Shatzmiller, *La deuxième controverse de Paris*, 45.

cations of the trial and burnings on the popular level were more substantial, although tracking this impact is impossible. We have noted the societal setting of the mid-thirteenth century, in which Christians were becoming increasingly convinced of intense Jewish hostility, leading to purported anti-Christian violence aimed largely at the weakest elements in Christian society – children. The theme of gratuitous Jewish murder of Christians, especially Christian youngsters, was early on intensified by identification of the pure child-victims with the likewise pure Jesus, with the imputation that Jews killed these children by crucifying them.¹³⁸ Toward the end of the twelfth century, a new motif emerged that identified murder of Christian youngsters as a requirement of Jewish law. According to Rigord of St Denis, the biographer of King Philip Augustus, Jews killing Christian children were doing so as a reconstitution of the ancient Israelite sacrificial cult, and this reconstruction of the sacrificial cult was supposedly the key to eventual Jewish salvation.¹³⁹

This connection of the murder of Christian children with the ancient sacrificial cult did not achieve traction in thirteenth-century western Christendom. Rather, an alternative connection to Jewish religious praxis surfaced almost simultaneously with the allegations of Nicholas Donin and the Paris trial. According to this view, Jewish Passover ritual – in the biblical version of which blood plays a dominant role – latterly included the ongoing need for blood, now to be supplied by killing Christian youngsters. While related to the notion advanced by Rigord of the rootedness of child-murder in the ancient rituals of biblical Israel, the blood libel proved more compelling to thirteenth-century Christians and remained a major element in popular Christian thinking about Jews down into modernity. Church and state efforts over the ages – undertaken seriously and intelligently – to refute the blood libel were by and large ineffectual. The appeal of the calumny proved extremely durable.

The precise relationship of the blood libel to the Paris trial against the Talmud is by no means clear. In the most general way, however, central to the Donin case against the Talmud were allegations of intense, talmudically grounded Jewish hatred of Christians and injunctions to cause their death. Clearly, common folk in Parris were not privy to the details of the Donin case – neither the prosecution nor the defense. However, the public burning of Jew-

138 See the classic study by Gavin I. Langmuir, "Thomas of Monmouth: Detector of Ritual Murder," *Speculum* 59 (1984): 820–846.

139 Rigord, *Histoire de Philippe Auguste*, ed. and trans. Elisabeth Charpentier et al. (Paris, 2006), 130–132.

ish books in Paris was surely a major popular spectacle. What the Paris populace present at such burnings might have taken away as to the grounds for the conflagration is speculative, but the notion that these books were going up in flames as a result of anti-Christian teachings and incitement to anti-Christian actions does not seem unreasonable. The fact that these Jewish books were being burned as a result of their nefarious contents would surely have suggested to many onlookers that allegations of the murder of Christians as a Jewish religious obligation might well be true.

The trial and condemnation of the Talmud affected only minimally the Jews of medieval western Christendom on the official level of both church and state. However, it in all likelihood reinforced negative popular perspectives on the Jews, although such influence cannot be demonstrated with certainty. Did the trial and condemnation affect the Jews themselves in any appreciable way? They did. The most obvious result involved dissipation of the Jewish sense that Hebrew writings would be immune from the scrutiny of Christian readers. In earlier stages of Jewish history in medieval Europe, Jews could write in Hebrew with relative confidence that only Jewish readers would have access to their writings. Donin's accusatory statements are studded with references to the writings of the eleventh-century Jewish exegete, Rashi of Troyes, who was quite comfortable in including anti-Christian observations in his Bible and Talmud commentaries. The proliferation of literate converts from the Jewish community and the acceleration of Hebrew language acquisition by churchmen laid to rest this sense of security.

The accusations of Nicholas Donin meant greater Jewish care in committing to writing contemporary observations and likewise careful Jewish scrutiny of the classical rabbinic texts that were fundamental to Jewish living and thinking. There is a long and complex history – not yet completely understood – to the self-censorship of the talmudic passages related to Jesus highlighted by Nicholas Donin.¹⁴⁰ To be sure, Rabbi Yehiel had argued that these passages did not relate to the Christian Jesus, but – as we have seen – this argument resonated poorly among the Christians who heard it in Paris and was unlikely to persuade subsequent Christians with access to the talmudic tales. Thus, the best course of action in the wake of the events of the 1240s was deletion of these references altogether. Christian censorship eliminated some of these passages, but it seems likely that Jews themselves did the same on their own initiative as well.

140 Peter Schäfer, *Jesus in the Talmud* (Princeton, 2007).

Again, prior to the printing press, the copying of the Talmud by hand allowed for considerable latitude in the texts produced and freedom to excise passages deemed dangerous.

The second important line of attack on the Talmud – that it contains wide-ranging injunctions to inflict harm on Christians – had been countered more effectively by Rabbi Yehiel. In response to these allegations, he had again responded by drawing distinctions – this time a distinction between the pagans against whom the talmudic injunctions had been aimed and the monotheistic and far more civilized Christians among whom the Jews of Europe now lived. This distinction did not elicit the same negative response triggered by the claim that the Talmud's Jesus was not the Christian Jesus, and a way of reinforcing the distinction made itself clear. Again, the solution was a kind of self-censorship, but this self-censorship did not involve elimination of passages; it involved, rather, clarification. Thus, increasingly Talmud manuscripts replaced the indeterminate locution *goy* (literally a gentile, i.e. a non-Jew) with the far more precise *'akum*, an acronym for *'oved kokhavim u-mazalot* (a worshipper of the stars and the planets). By virtue of this shift in terminology, Christian readers of the Talmud could no longer project into the anti-*'akum* precepts any reference to themselves.

It has often been suggested that, as a result of the trial and condemnation of the Talmud, Jewish intellectual activity in northern France, which had been intense and productive prior to 1240, began to decline. This widely shared view is, however, questionable. In the first place, it is acknowledged that the process of editing the creative post-Rashi Talmud exegesis that goes under the generic heading of Tosafist commentaries took place in northern France toward the end of the thirteenth century, a number of decades subsequent to the trial of 1240. This suggests ongoing Jewish intellectual activity, condemnation of the Talmud notwithstanding. Additionally, Haym Soloveitchik has argued cogently that the decline of Jewish intellectual activity in mid-thirteenth-century northern France bears all the hallmarks of a creative process that in a natural way ran its course.¹⁴¹ Thus, the influence of the assault on the Talmud of the 1230s and 1240s on Jewish creativity is not at all clear.

¹⁴¹ Haym Soloveitchik, "Catastrophe and Halakhic Creativity: Ashkenaz – 1096, 1242, 1306, and 1298," *Jewish History* 12 (1998): 71–85. Soloveitchik makes his case by carefully analyzing the Tosafist revolution in talmudic study and by tracing the decline in creativity at the beginning of the thirteenth century, i.e. prior to the assault on the Talmud.

In sum, while the drama of the events of the 1230s and 1240s is patent, the overall impact of the trial and condemnation of the Talmud seems to have been quite limited. The status of Judaism in the eyes of the Church did not change appreciably. In fact, the danger posed by the extreme position of Nicholas Donin regarding the inherent intolerability of rabbinic Judaism led to a clear and unambiguous restatement of the traditional Church recognition of Judaism as a permitted religion in Christendom. Secular authorities as well did not alter their stances on Jews either. Internal Jewish life does not seem to have been affected in any serious ways subsequent to the dramatic events of the 1240s in Paris. The major impact of the trial and condemnation of the Talmud seems to have been on popular thinking. The accelerating popular perception of Jewish hostility and harmfulness found potent reinforcement in the talmudic citations advanced by Nicholas Donin. While the populace at large was not privy to the details of Donin's attack and the Jewish defense, the burning of large quantities of Talmud manuscripts signaled to the common folk that there was surely something exceedingly harmful contained in these volumes going up in flames.

The trial and condemnation of the Talmud do reveal – as argued by Southern – many interesting and important facets of mid-thirteenth-century European life. With respect to the Christian majority, the assault on the Talmud reflects the complexities of Church organization and life, the disparities among the secular governments of the period, and the complicated relations between these two sets of authorities. The trial of the Talmud was essentially an ecclesiastical initiative. However, faced with allegations that the Talmud contained offensive material, the papal court could do nothing of significance on its own. Rather, it had to invoke the secular authorities by citing the problem and enlisting secular aid in executing a solution. The solution was, in simplest terms, to investigate the allegations and – if they were proven accurate – to take the requisite steps of destroying the offensive literature. In order to gather copies of the Talmud, subject the Talmud to formal and careful investigation, and carry out the sentences decreed against it, the Church required the cooperation of the major rulers under whose jurisdiction thirteenth-century Jews lived. The attack on the Talmud reveals the fundamental church-state cooperation at work during the thirteenth century.

At the same time, the assault on the Talmud shows us divergent points of view within the Church and among leading secular rulers. By 1247, a rift had developed between the papacy and the ecclesiastical leadership in Paris – the former softening the decree against the Talmud and the latter insisting on the

harshest of measures. Differences of opinion among the leading rulers of western Christendom with respect to the anti-Talmud campaign surfaced immediately. Many key rulers of Christian Europe were addressed by Pope Gregory IX and urged to undertake the requisite examination. However, only the very pious King Louis IX of France – celebrated all through his life as the model of a Christian monarch and beatified not long after his death as St Louis – responded to the papal call. The rulers of thirteenth-century Europe were deeply divided in their response to the new Church initiative.

The assault on the Talmud reveals, in addition, some of the mood of mid-thirteenth-century Christian society and Church. This mood was aggressive in both a positive and negative sense, highlighted by expanding intellectual horizons, by a profound interest in learning more about the world natural and human, and by a commitment to utilizing the new knowledge to control Europe's Christian majority and Jewish minority more effectively. Talmudic tradition – so long inaccessible to Christians – was to be examined closely, with its key sources identified and made available in Latin translation.

Knowing more about Judaism on the basis of its own sources was by no means intended as disinterested intellectual inquiry. The newly acquired knowledge was meant to lead to action. On the one hand, it was to be utilized to examine the Talmud defensively in order to root out intolerable elements in it; on the other hand, it was to serve as the foundation for a new and intensified effort to bring European Jews into the Christian fold. The aggressiveness of thirteenth-century western Christendom is reflected in the desire to explore the Talmud, to control Jewish behaviors, and to win Jews over into the Christian camp.

The trial and condemnation of the Talmud also reveals much about the circumstances of Europe's Jewish minority. On the one hand, the assault on the Talmud reflects the ultimate vulnerability of the Jews of medieval western Christendom. Living under the authority of both church and state, the Jews of medieval Europe could easily be assaulted by one or both of the powerful forces operating in majority society. Although the Jewish position, as reflected in the trial and condemnation of the Talmud, included subservience to both the church and the state, the reality of the internal divisions within the leadership of church and state – along with the occasional discord between the two – created space and opportunity for Jewish negotiating efforts. Especially striking is the post-condemnation Jewish appeal to the very same papal court that had set the assault on the Talmud in motion. Pope Innocent IV was eventually addressed by a set of Jewish leaders seeking to ameliorate the harsh measures

instituted by King Louis IX for his kingdom. Strikingly, the pope accepted the Jewish claims and decreed the more modest and less destructive policy of censorship of the Talmud, which in fact became the norm for most post-1240 European principalities. The Jewish position involved subservience to the authority of church and state, but Jews enjoyed some latitude for creative activism.

Less obviously, the trial and condemnation of the Talmud, its subsequent censorship, and the slightly later innovative missionizing campaign all point to the impact of the vibrant twelfth- and thirteenth-century Christian civilization on the Jews of Europe. While these Jews regularly demeaned their Christian environment as steeped in ignorance, superstition, and immorality, and while many Enlightenment historians and nineteenth-century historians of the Jews maintained this narrative, more recent medievalists project Europe of the twelfth and thirteenth centuries as the scene of a remarkable burst of creative energy, which resulted in both dramatic advances and innovatively destructive tendencies.¹⁴² The trial of the Talmud took place in Paris, partly because that city was in the process of becoming the capital of one of Europe's increasingly large, effectively administered, and powerful states and partly because it had become the home of one of Europe's earliest and greatest universities. Jews – despite their efforts at denigration of the achievements of medieval Christian Europe – were well aware of its power and creativity. Some Jews were ultimately convinced to embrace Christianity by the most penetrating of Christian missionizing arguments: the argument that Christian success and contrastive Jewish failures served to prove the truth of the former and the error of the latter.

During the twelfth century, a small number of converts emerged from the very center of the Jewish communities of Christian Europe. Conversion of marginal members of Jewish society was a fairly common phenomenon across time and did not occasion seriously negative results. Jews were hardly discomfited by the loss of marginal members of their community, which could readily be explained as the result of ignorance. Moreover, Christians gained little important knowledge of Judaism from such marginal Jews. When learned members of the Jewish community left the fold, however, the impact was quite different.

142 For an examination of the ways in which medieval Jews, Enlightenment historians, and nineteenth-century historians of the Jews purveyed highly negative views of medieval Europe, see Robert Chazan, *Reassessing Jewish Life in Medieval Europe*, Chaps. 3 and 4; for the newer and more positive views and for the focus on the destructive underside of twelfth- and thirteenth-century European creativity, see *ibid.*, Chap. 3.

Jews witnessing the defection of fellow Jews who were located at the very center of Jewish life had to be shaken and in fact often were. In addition, such centrally located Jews brought into the Christian camp new and valuable knowledge of Jewish life – the strengths of contemporary Jews and (more importantly) their vulnerabilities. It is no accident that the assault on the Talmud that began in the 1230s was launched by a former Jew who had defected from the Jewish community and that the innovative missionizing campaign that began in the 1240s represented the initiative of yet another defector. In both cases, the converts brought with them valuable information on talmudic Judaism, on the problematic aspects of this talmudic Judaism, on the defenses Jews had erected against Christian proselytizing, and on the weak links in these Jewish defenses. The assault on the Talmud was launched by a former southern French Jew named Nicholas Donin, and the new missionizing campaign was initiated by another former southern French Jew who eventually became Friar Paul Christian of the Dominican Order.

Following Southern one more step, we should conclude by asking to what extent the trial and condemnation of the Talmud alert us to developments in the offing and thus serve as “portents of things to come.” The most obvious such portent is the growing commitment to full control of life in western Christendom by the authorities of the Church. In his important study of Peter the Venerable, Dominique Iogna-Prat has sketched out the major lines of this commitment as they began to emerge in the twelfth century. According to Iogna-Prat, right order on the human scene had to be achieved through Christian energy, intelligence, and effort. This meant the dominance of the Church and its values internally and successful engagement with competing external forces externally.¹⁴³ The lives and behaviors of the relatively small Jewish minority had to be carried on in accord with the dictates of Christianity, and careful surveillance of the behavior of this small minority was now projected as a requirement. While the theory of Judaism as a legitimate religion within Christian society remained in place, the greater aggressiveness of Christian society and its leadership in terms of both securing internal order and expanding externally at the expense of its enemies ultimately threatened the stability of Jewish life in at least the most developed – i.e. the westerly – areas of Europe.

Another threatening trend illuminated by the trial and condemnation of the Talmud was the growing popular fear of the purportedly hostile and malev-

143 Iogna-Prat, *Order and Exclusion*.

olent Jews of Christian Europe. The broad populace of Paris was not involved in the trial of 1240, however, the sight of the burning Talmud volumes on public display surely reinforced the perception of the Jews as ranged in dangerous opposition to the Christianity that hosted them. This perception was to deepen yet further over the remainder of the thirteenth century, throughout the fourteenth century, and on into the fifteenth as well. The combination of intensifying ecclesiastical pressure and accelerating popular fear and hatred served to undermine the position of the Jews in the more advanced western areas of medieval Europe. The deteriorating position of the Jews weakened the commitment of the secular authorities to their protection and suggested that all kinds of benefits – economic and popular – might accrue from acts of formal banishment, which eventually took place.

In all these senses, the trial and condemnation of the Talmud point to enhanced majority aggression and to deeper minority vulnerability. While in and of itself not notably affecting Jewish circumstances, these events alert us in hindsight to developments that would eventuate in the decline and demise of the Jewish communities of the western areas of Europe during the ensuing centuries.

The Christian Evidence

Translated by JEAN CONNELL HOFF

Latin Letters

Letter 1

9 June 1239, from Pope Gregory IX to William of Auvergne (Simonsohn,
The Apostolic See and the Jews, 1: 171, no. 162)

Bishop Gregory ... to the bishop of Paris ...

By the authority of the present documents we order Your Fraternity to earnestly receive our letters, which pertain to the matter of the books of the Jews that has been entrusted to you and your colleagues by us, and which are about to be presented to you on our behalf by the bearer of the present documents, our beloved son, Nicholas, a former Jew; and, when you see fit, to transmit the same addressed by us to our reverend brother archbishops and to our dearest sons, the illustrious kings of France, England, Aragon, Navarre, Castile and Leon, and Portugal.

Issued at the Lateran on the ninth of June, in the thirteenth year [of our pontificate].

Letter 2

9 June 1239, from Pope Gregory IX to the archbishops of France (Simonsohn,
The Apostolic See and the Jews, 1: 172, no. 163)

Bishop Gregory ... to the reverend brother archbishops throughout the kingdom of France to whom these letters have reached, greetings and an apostolic blessing.

If the things that are asserted about the Jews residing in the kingdom of France and other provinces are true, there would be no adequate or fitting punishment for them. For not content, as we have heard, with the old Law, which

the Lord gave in writing through Moses, indeed completely neglecting the same, they maintain that the Lord also proclaimed another law, which is called the Talmud, i.e. teaching; and they falsely claim that it was passed on orally to Moses and inserted in their minds and preserved for a long time without being written down, until certain people came along, whom they call sages and scribes, who rendered it in writing so that it would not slip from men's minds through forgetfulness, the book of which exceeds the text of the Bible in size. In it are contained so many falsities and offensive things that they are a source of shame to those who repeat them and horror to those who hear them.

Since, therefore, this is said to be the main reason that keeps the Jews stubborn in their perfidy, we considered that Your Fraternity ought to be advised and exhorted, ordering and enjoining you through apostolic writings that on the first Sabbath of next Lent, in the morning when the Jews assemble in their synagogues, you have all the books belonging to the Jews in your province seized on our authority and faithfully held in safekeeping with the Dominicans and Franciscans, having invoked the aid of the secular arm in this matter, if necessary, and promulgating a sentence of excommunication against all, both clergy as well as lay people subject to your jurisdiction, who, though warned by you either generally in the churches or specifically, may be unwilling to give up their Hebrew books, if they have any.

Issued at the Lateran on the ninth of June in the thirteenth year of our pontificate. He wrote in the same manner to the archbishops of England, Castile and Leon.

Letter 3

20 June 1239, from Gregory IX to Sancho II, king of Portugal (Simonsohn, *The Apostolic See and the Jews*, 1: 173, no. 164)

Bishop Gregory ... to the king of Portugal ...

If the things that [are asserted] about the Jews in the kingdom of Portugal are true, etc. Since, therefore, this is said to be the main reason that keeps the Jews stubborn in their perfidy, we very attentively advise and exhort Your Royal Serenity that, on the first Sabbath of next Lent, in the morning when the Jews assemble in their synagogues, you have all the books belonging to the Jews in your kingdom, both those who are subject to you as well as those who are subject to

the nobles of said kingdom who owe fealty to you, seized on our authority and held in safekeeping with our beloved sons, the Dominicans or Franciscans.

Issued at the Lateran on the twentieth of June in the thirteenth year [of our pontificate]. [He wrote] in the same manner to the kings of France, England, Aragon, Castile and Leon, and Navarre.

Letter 4

20 June 1239, from Gregory IX to William of Auvergne and to the prior of the Dominicans and the minister general of the Franciscans (Simonsohn, *The Apostolic See and the Jews*, 1: 174, no. 165)

Bishop Gregory ... to the bishop and ... to the prior of the Dominicans and to the minister general of the Franciscans at Paris ...

If the things that [are asserted] about the Jews in the kingdom of France are true, etc. Since, therefore, this is said to be the main reason that keeps the Jews stubborn in their perfidy, we order Your Discretion, enjoining through apostolic writings, to have all the Jews residing in the kingdom of France, England, Aragon, Navarre, Castile, Leon and Portugal compelled by the secular arm produce all their books, and that those which you find to contain errors of this kind you shall have burned together in a bonfire, restraining those who refuse by ecclesiastical censures, without appeal. Faithfully write back to us everything you have done in this matter. But if all of you are not able to take part in carrying out these orders, let one of you carry them out nonetheless.

Issued at the Lateran on the twentieth of June in the thirteenth year [of our pontificate].

Letter 5

May 1244, from Pope Innocent IV to King Louis IX of France (Simonsohn, *The Apostolic See and the Jews*, 1: 180–181, no. 171)

To the illustrious king of France.

The impious perfidy of the Jews – from whose hearts our Redeemer has not torn away the veil because of the enormity of their crimes but allows them still

to remain in the blindness that partially came upon¹ Israel – is not, as is proper, mindful that Christian piety from compassion alone protects them and patiently tolerates their dwelling among [us, but] perpetrates egregious acts that are a source of shame to those who repeat them and horror to those who hear them. For, ungrateful to our Lord Jesus Christ, who out of the abundance of his forbearance patiently awaits their conversion, making no pretense of shame for their guilt nor respecting the honor of the Christian faith, they disregard or despise Mosaic Law and the prophets and follow certain traditions of their elders, for which the Lord rebukes them in the Gospel, saying, “Why do you transgress God’s commandment and have made it void for the sake of your traditions, teaching the doctrines and precepts of men?” [Matt 15:3, 6, 9]. Indeed, in such traditions, which they call the Talmud in Hebrew, – and it is a great book among them, exceeding the text of the Bible in size, in which there are manifest blasphemies against God and his Christ and the blessed Virgin, convoluted tales, erroneous insults, and unheard-of foolishness – they teach and bring up their children and make them thoroughly estranged from the teaching of the Law and the prophets, fearing that they be converted to the faith and return humbly to their Redeemer, since the truth that is found in the same Law and prophets clearly offers proof of the only-begotten Son of God who would come in the flesh. And not content with this, in an affront to the Christian faith they make Christian women their children’s nursemaids, with whom they commit many base acts. For these reasons the faithful ought to fear incurring divine indignation as long as they shamefully allow them to perpetrate acts that bring confusion on our faith.

And although our beloved son, the chancellor of Paris, and the doctors regent in Holy Writ in Paris, at the command of our predecessor, Pope Gregory of happy memory, publicly burned in a fire before the clergy and people both the aforesaid book of abuse as well as some others which they partially read² and examined along with all their glosses to the confusion of the perfidy of the Jews, as we have found contained in the letters of these men, – to whom you, as a Catholic king and most Christian prince, supplied the appropriate aid and favor in this matter, for which we commend Your Royal Excellency to the Lord with deserved praises and bestow our thanks – nevertheless, because the profane abuse of the Jews has not yet abated and hardship has still not granted them understanding, we earnestly ask, advise³ and beseech Your Royal Highness in our Lord Jesus Christ

1 Reading *contigit* with Simonsohn.

2 Reading *perlectosin parte* with Simonsohn.

3 Reading *monemus* with Simonsohn.

that, by laudably prosecuting, as you have piously begun to do, the detestable and egregious outrages of this kind that have been committed as an affront to the Creator and an insult to the Christian name, you see to it that they are struck down with due severity [and] you order burned in a fire both the aforesaid books of abuses that were condemned by those same doctors as well as all those without exception with their glosses that have been examined and condemned by the same, wherever they may be found throughout your kingdom; [and] by firmly preventing [the Jews] from henceforth having Christian nursemaids or servants so that children of a free-born mother do not wait on the children of the maid-servant but that the latter, as servants condemned by the Lord, in whose death they conspired, at the very least recognize that they are servants of those whom Christ's death made free and made them servants; so that we in like manner can commend to the Lord the zeal of your sincerity with well-deserved praises.

Issued at the Lateran on the ninth of May in the first year [of our papacy].

Letter 6

12 August 1247, from Pope Innocent IV to King Louis IX of France (Simonsohn, *The Apostolic See and the Jews*, 1: 196–197, no. 187)

Bishop Innocent, servant of the servants of God, to his dearest son in Christ, the most illustrious king of France, greetings and an apostolic blessing.

Like the living creatures that John saw in the Apocalypse full of eyes in front and behind [Rev 4:6], the supreme pontiff, clear-sighted [and] surveying matters from all sides as one under obligation to wise and foolish alike, ought not to harm anyone unjustly but is justly bound to grant everyone his rights by carrying out what is just. At any rate, since the masters of the Jews of your kingdom recently stated before us and our brethren that without that book that in Hebrew is called the Talmud they are unable to understand the Bible and the other statutes of their Law in accordance with their faith, we, who are bound according to divine commandment in that same Law to show tolerance to them, have thought fit to answer them that, just as we are unwilling to deprive them of the Law itself, so in consequence we are unwilling to deprive them unjustly of their books.

Therefore, we have sent a letter to our venerable brother, the bishop of Tusculum, legate of the Apostolic See, to the effect that he see to it that both [the Talmud] itself and other [books] are delivered up to him and inspected and,

diligently inspecting the same, he tolerate them in those matters in which he sees that they ought to be tolerated in the sight of God without damage to the Christian faith and restore them to the aforesaid masters, restraining those who object by ecclesiastical censure without appeal. For this reason, we have resolved very earnestly to ask and exhort Your Royal Serenity to regard with favor and approval what will be done by this same legate on this point and to see to it that it is firmly observed.

Issued at Lyons on the twelfth of August in the fifth year of our pontificate.

Letter 7

Undated letter from Odo of Chateauroux, bishop of Tusculum, to Pope Innocent IV (Grayzel, *The Church and the Jews in the XIIIth Century* 1: 275–279 n3 [275–277])

To the most holy father and lord, Innocent, supreme pontiff by the grace of God, Odo, by divine compassion bishop of Tusculum, legate of the Apostolic See.

It has recently pleased Your Holiness to issue orders to me that I have the Talmud and other books of the Jews delivered up to me and inspected and, diligently inspecting the same, I should tolerate them in those matters in which I found they ought to be tolerated in the sight of God without damage to the Christian faith and should restore them to the masters of the Jews. But lest the legal proceedings that were once held concerning the aforesaid books be unknown to Your Holiness and so that it may not happen that anyone be deceived in this matter by the cunning and lies of the Jews, Your Holiness should know that in the time of Pope Gregory of happy memory a certain convert by the name of Nicholas made known to the said supreme pontiff that the Jews, not content with the old Law, which the Lord gave in writing through Moses, indeed utterly neglecting the same, maintain that the Lord also proclaimed another law, which is called the Talmud, i.e. teaching, and that, having been passed on orally to Moses and inserted in their minds, they say, it was preserved for a long time without being written down, until certain people came along, whom they call sages and scribes, who rendered it in writing so that it would not slip from men's minds through forgetfulness, the book of which exceeds the text of the Bible in size. In it are contained so many falsities and offensive things that they are a source of shame to those who repeat them and horror to those who hear them, and this [it is said] is the main reason that keeps

the Jews stubborn in their perfidy. When he heard these things, it pleased the supreme pontiff to write to all the archbishops throughout the kingdom of France in this way [Gregory's second letter of 9 June 1239 inserted here]. He wrote in a similar vein to all the archbishops in the kingdoms of England, Castile and Leon. He also sent a letter to the king of Portugal in these words [Gregory's first letter of 20 June 1239 inserted here]. The aforesaid supreme pontiff also directed a mandate to the bishop of Paris in this manner [Gregory's first letter of 9 June inserted here]. Similarly he issued mandates to the bishop, the prior of the Dominicans, and the minister general of the Franciscans in Paris as is contained below [Gregory's second letter of 20 June 1239 inserted here]. All these enclosures were sent under bull and seal.

And far more things were found in the aforesaid books in the presence of Walter of good memory, archbishop of Sens, and the venerable fathers, the bishops of Paris and Senlis, and Brother Godfried of Blevel, your chaplain, the then-regent in Paris, and other masters of theology, and even the masters of the Jews, who admitted in the presence of these men that the aforesaid matters were contained in their books. And, furthermore, when a diligent examination was subsequently made, it was found that the said books were full of errors, and a veil has been placed over their hearts to such an extent that these works turn the Jews away not only from a spiritual understanding but even from a literal one and toward fables and fictions. Hence it is obvious that the masters of the Jews of the kingdom of France recently uttered a falsehood to Your Holiness and the venerable fathers, the lord cardinals, when they said that they are unable to understand the Bible and other provisions of their Law according to their faith without those books that are called in Hebrew the Talmud. Indeed when the aforesaid examination was made and all the masters of theology and canon law as well as many others deliberated, in accordance with the apostolic mandate all the aforesaid books that could be found at that time were then burned in a bonfire.

It would be no small scandal as well as an eternal reproach to the Apostolic See if the books, so solemnly and justly burned in the presence of all the scholars and the clergy and people of Paris, were tolerated by apostolic mandate or even returned to the masters of the Jews, for this tolerance would be seen as a kind of approval. Speaking of the lepers whom the Lord cured, blessed Jerome⁴

4 Actually, Augustine, *Quaestiones Evangeliorum* 2.40.2, ed. Almut Mutzenbecher, Corpus Christianorum Series Latina 44B (Turnhout, 1980), 97.

says that no teaching is so perverse that it does not contain some truth; similarly no heretics are found who do not hold sound views on some part of the Creed. Nonetheless, because some books had errors in them, even though they contained much that is good and true, they were still condemned by the authority of the Councils; likewise various heretics have been condemned even though they did not err in every regard. Thus, although the aforesaid books contain some good things, although few and far between, they must be utterly condemned. This teaching is that *deuterosis* of which blessed Jerome [Letter 121 to Algasia] makes mention in regard to the Gospel of Matthew [15:3] that makes void the commandment of God, as our Lord himself attests.

In the present letter I have made these matters known to Your Holiness, so that the truth about the aforesaid books may become abundantly clear to Your Holiness. And I have asked the masters of the Jews to deliver up to me the Talmud and all their other books; they have only delivered five extremely vile volumes to me, which I, in accordance with the terms of your mandate, will have diligently inspected.

Letter 8

May 1248, from Odo of Chateauroux (Grayzel, *The Church and the Jews in the XIIIth Century* 1: 275–279, n3 [278–279])

Odo, by divine compassion bishop of Tusculum, legate of the Apostolic See, to all who will read the present letter, greetings in the Lord.

Let it be known to you all that in Paris on the fifteen of May, in the year of our Lord 1248, with the masters of the Jews present and summoned for this purpose, we pronounced a decisive judicial sentence on certain books of the Jews that are called the Talmud in this way:

In the name of the Father and of the Son and of the Holy Spirit, Amen. Certain books, which are called the Talmud, have been delivered up to us on apostolic authority by the masters of the Jews in the kingdom of France, which we inspected and had diligently inspected by God-fearing men with zeal for the Christian faith who are discerning and experienced in such matters. Because we found them to contain innumerable errors, insults, and offensive things that are a source of shame to those who repeat them and horror to those who hear them, to such a degree that the aforesaid books cannot be tolerated in the sight of God without damage to the Christian faith, after consultation with good men whom we had specially summoned for this purpose, we proclaim that the

aforesaid books must not be tolerated nor should they be restored to the masters of the Jews, and we condemn them by judicial sentence. But as for the other books that have not been delivered up to us by the masters of the Jews – although they have many times been requested by us to do so – or have not yet been inspected, we shall know more fully at a suitable time and place and shall do what has to be done. ...

The seals of whom have been affixed to the present document together with our own as witness to this matter. Issued in the year 1248, in the month of May.

Latin Accusations

Translated from Paris, Bibliothèque nationale, MS Lat. 16558, fols. 211b–217d, as edited by Isidore Loeb in “La controverse de 1240 sur le Talmud,” *Revue des études juives* 2 (1881): 252–270 and 3 (1882): 39–55.

Prologue to the Second Part

Around the 1236th year since our Lord’s incarnation, the Father of mercies called to the faith a certain Jew, Nicholas Donin of Rupella by name, a man very learned in Hebrew even according to the testimony of the Jews, so much so that one would scarcely find anyone like him in the nature and grammar of the Hebrew language. This man approached the Apostolic See and revealed to Pope Gregory of happy memory in the twelfth year of his pontificate the impious wickedness of the aforesaid books and described in particular certain articles about which he obtained papal letters for the kings of France, England and Spain to the effect that, if it happened that such things were found in the said books, they should have them consigned to the fire. Accordingly, when all the books of the Talmud in the entire kingdom of France had been collected on the king’s authority and brought to Paris, fourteen cartloads were burned in one day and six on another occasion. And so I should primarily like to commit here to writing the abovementioned articles and to preface each of them with the words of a transcript of the papal letters, copies of which, for example, you will find at the end of this work.

[On the Articles of the Papal Letters]

I. THE JEWS CLAIM THAT THE LORD GAVE THE LAW WHICH IS CALLED THE TALMUD. In *Seder Moed*, Tractate Shabbat [31a], in the chapter *Bameh Madlikin* (which means with what may we light), it says as follows: “The masters *miaudent* (i.e. say), It happened that a certain *goy* (gentile) came before Shammai and said to him, How many laws do you have? Two, he replied, One written, the other oral.”

On the same point in the same book, Tractate Yoma [28b] (which means day), in the chapter *Amar Lahem Hamemuneh* (which means the administrator said to them), Rav says, “Our father Abraham affirmed the whole law, as it is written, ‘Because he listened to my voice and kept my safeguard, my statutes

and my laws' (Gen 26:5)." And later, "Rav Ashi says, Our father Abraham kept [even] the mixing of dishes." – Gloss: "These laws were not given through Moses on Sinai but were instituted by the scribes, as it is said, 'my laws' – two laws – one from the words of the Law, and one from the words of the scribes."

Also in *Seder Yeshuot*, Tractate Sanhedrin [99a–b], in the chapter *Helek*: "Even if someone were to say, The whole law is from heaven, except this particular point, this *kal vachomer* (i.e. light and heavy, which we call an argument *a fortiori*) or that *gezerah shavah* (which means similar decision, that is, an argument by analogy), this is the same as: 'The word of the Lord is despised,' as if to say, he is the one about whom it is written, 'He despised the word of the Lord and has broken his commandment, therefore, he will be destroyed, etc.' (Num 15:31)."

2. THEY SAY THAT IT [THE LAW OF THE TALMUD] WAS HANDED DOWN BY THE WORD OF THE LORD. One reads this in Berakhot [5a], chapter 1, "Rabbi Levi says, What does it mean which is written: 'And I will give you tablets of stone and a law and commandments which I have written that you may teach them' (Exod 24:12); 'tablets of stone' i.e. the Law; 'a law' i.e. the Mishnah; 'the commandments' i.e. statutes and injunctions; 'which' i.e. judges; 'I have written' i.e. the mikra (the prophets and the hagiographa); 'that you may teach them' i.e. the Talmud; this teaches that all these things were *halakha* (a teaching) to Moses on Sinai."

On the same point, in *Seder Moed*, Tractate Megillah [19b] (which means scroll), in the chapter *Hakorei et Hamegillah*, "What does it mean which is written: 'The Lord gave me two tablets of stone and [the writing] upon them [was] in accordance with all the words which he spoke to you, etc.' (Deut 9:10)? This teaches that God revealed to Moses the points of the Law and the points of the scribes and those that the scribes would discover later." The points of the scribes, i.e. the traditions, they call the law by the mouth [Oral Law], i.e. the Talmud.

3. AND IMPLANTED IN THEIR MINDS (they are lying). One reads this in *Seder Nashim*, Tractate Gittin [60b] (which means bills of divorcement), in the chapter *Hanizakin* (i.e. the condemned), where it says, "Judah, son of Nachmani, the disciple of Reish Lakish, *darash* (i.e. glossed): It is written, 'Write these words, for by the mouth of these words I have made a covenant with you and with Israel' (Exod 34:27). What are we to make of that? Clearly it is this: The words that are in writing you cannot express orally (i.e. you cannot say the words of the Bible orally by heart, unless [reading them] from a book); the words by the mouth

(i.e. the Talmud) you cannot express in writing. In the house of Rabbi Ishmael it was said: Write those (the words of the Bible), but do not write *Halakha* (i.e. the Talmud). Rabbi Yohanan says: God made a covenant with Israel only in regard to the words by the mouth (i.e. Talmud), as it is written: ‘For by the mouth of these words I have made a covenant with you and with Israel.’”

On the same point, in *Seder Yeshuot*, Tractate Bava Metzi’a [33a] (i.e. the middle gate), in the chapter *Eilu Metziot* (i.e. these finds), at the end, it is written there: “The masters *miaudent* (i.e. say), He who studies the mikra (the Bible), it is and is not a virtue.” Gloss: “It is a virtue up to a certain point, but not simply a virtue, because the Mishnah and the Talmud are better than the mikra (the Bible), since they are learned only by heart and pass into oblivion, for in their (the masters’) day the Talmud was not written nor entrusted to writing, but since hearts (mental powers) have been diminished, our predecessors began to write the Talmud.”

4. THEY SAY ALSO THAT IT WAS PRESERVED FOR A LONG TIME WITHOUT BEING WRITTEN UNTIL CERTAIN MEN CAME WHOM THEY CALL SAGES AND SCRIBES, WHO RENDERED IT IN WRITING SO THAT IT WOULD NOT SLIP FROM MEN’S MINDS THROUGH FORGETFULNESS, THE BOOK OF WHICH EXCEEDS THE TEXT OF THE BIBLE IN SIZE. One reads this in *Seder Nashim*, Tractate Gittin [60a], in the chapter *Hanizakin*, where it says, “Rabbah and Rav Joseph both say: That book of *haftarabs* (a book of readings taken from the Bible which is read from in the synagogue), it is forbidden to read from it. Why? Because it was not permitted to write it.” Gloss: Because writing anything less than a whole book from the mikra (the Bible) was not permitted. “Mar, son of Rav Ashi, says, It is forbidden to receive a † *menier* † (i.e. a handbook called a legendary). Why? Because it is not fit to read from it. [But this is not so,]¹ since Rabbi Yohanan and Reish Lakish consult a book of *aggadah* (an explanation of the words of the Bible by the Talmud is called *aggadah*).” An objection is made: “But is it [a book of *aggadah*] permitted to be written? (No,) but since it is impossible [for it] to exist (gloss: without being written since hearts [mental powers] have been diminished and the Law passes into oblivion), [when it is] ‘a time to act for the Lord, they have nullified your Law’ [Ps 119:126].” Gloss: There is a time to write for the Lord lest it [the Law] pass into oblivion, for this reason they have nullified your Law because they write it although You had forbidden it. “Similarly here [in the case of *haftarabs*], since it is impossible for it to exist otherwise [without being written],

1 Supplied by Loeb.

[when it is] ‘a time to act for the Lord, they have nullified your Law.’” Gloss: “Just as was said above about the book of *aggadah*, which can be written because it cannot exist otherwise without being forgotten, by the same reasoning the book of *haftarahs* can be written because not every synagogue can have a complete Bible.”

5. IN IT AMONG OTHER SILLY THINGS IT IS CONTAINED THAT THE SAID SAGES AND SCRIBES ARE WORTH MORE THAN THE PROPHETS. One reads this in *Seder Yeshuot*, Tractate Bava Batra [12a] (which means the last gate), in the first *perek* (i.e. chapter): Rabbi Abdimi says, “Since the day when the house of the sanctuary [the Temple] was destroyed, prophecy has been taken from the prophets and given to the sages.” An objection is made: “Is a sage not a prophet himself? Yes, but although it had been taken away from the prophets, it was not taken from the sages. Amemar says, A sage is even better than a prophet.”

6. AND THEY WERE ABLE TO OVERTURN THE WORDS OF THE WRITTEN LAW. One reads this in *Seder Nashim*, Tractate Yevamot [89b–90a], in the chapter *Haisha She Halakh* (which means a woman who has gone away); there it says, “Are they not allowed to overturn the word of the Law?” It [the Talmud] responds and proves that this is so; after it raises several questions and provides several proofs, at the end it says as follows, “Sit and do not act, it is different.” – Solomon’s gloss: “Because concerning the commandments of acting (i.e. the positive ones) the scribes² can command one to sit and not act, since there is no overturning of the Law through action, but through omission, for they are overturned by themselves.” “He [his opponent] replied to him, I meant to make seven kinds of objections to you,” one of which is about the law by which it is commanded that they sound the trumpet on the first day of the seventh month, but the scribes forbid it because this should not be done on the day of the Sabbath. For Rabbah says that perhaps they forgot to carry trumpets to the synagogue [ahead of time], and thus it was necessary to look for them and carry them through the streets, which would be a serious sin, as one reads in the book of *Moed*, Tractate Succah, in the chapter *Lulab Ve’araba*. Another is the *lulab* (i.e. palm) that the same Rabbah for the same reason forbids receiving on the fifteenth day of the seventh month, namely on the Feast of Tabernacles, which the law nevertheless commands (Lev 23). The other five kinds belong likewise to the commandments of acting that the masters have forbidden to be done. “Now, what

2 Reading *scribe* for *scribere*.

did you respond to me? That ‘sit and do not act’ does not mean to overturn? All these cases are ‘sit and do not act.’” The gloss is: “Since you responded to me that sages can forbid commandments of acting because ‘sit and do not act’ does not mean to overturn, all the objections that I proposed to make to you are of this sort. Hence, ‘sit and do not act’ is in them, for which reason I am not able to make those objections to you.”

On the same point, in *Seder Moed*, Tractate Rosh HaShanah [25a] (i.e. the beginning of the year), in the chapter *Im Einan Makirin*, one reads there, “What does it teach us when it says, ‘You, you, you?’ (Lev 23:2, 3, 7); [the first] ‘you,’ even those who do not know; [the second] ‘you,’ even those who do know; [the third] ‘you,’ even those who are mistaken.” Gloss: “About the feasts it is written, ‘These are the feasts of God that you shall proclaim them’; instead of ‘them’ the Hebrew has *otam* three times, and from *otam* they make *attem*, which means ‘you.’ And in fact ‘you’ is said there three times to teach us that scribes can change the dates of the feasts. ‘Those who do not know, those who do know and those who are mistaken’: those who do not know since they are unable to find the new moon by which they would truly be able to know the day of the feast, and on account of such ignorance they celebrate it on another day, this is given to be understood by the first ‘you.’ By the second ‘you’ [are understood] even those who do know because they can change the feasts both knowingly and by their own will and command. By the third ‘you’ is given to be understood even those who are mistaken because, if those who were deceived by the testimony of others believed that there had been a new moon when there was not and celebrated the feast at that time, what they did was valid.” Hence in this way they changed all their feasts.

On the same point, on the same passage, “‘These are the feasts of God, holy convocations that you shall proclaim them,’ either within their appointed times or outside their appointed times.” Gloss: “He proves by this that sages can make their own feasts either in their appointed times or outside the appointed times.”

On the same point, in *Seder Yeshuot*, Tractate Makkot [22b], in the last *perek* (i.e. chapter): “Rabbah says, How stupid are the people who stand up in the presence of the scroll [of the Law], yet do not stand up in the presence of a great man. Indeed it is written in the book (in the scroll), ‘Forty lashes will be given him’ (Deut 25:3), and the masters came and took one away.” Gloss: “For this reason Rabbah says that it is better to stand up before a great man (i.e. a sage or a scribe or a master of the knowledge of the Talmud) than before the scroll, since they have greater power than the Law itself.”

7. AND IT OUGHT TO BE BELIEVED OF THE SAME [THE SAGES AND SCRIBES] THAT, IF THEY SAID LEFT WAS RIGHT OR VICE VERSA, THEY WOULD 'TURN RIGHT' INTO LEFT. This is written: "You will not stray either to the left or to the right" (Deut 17:22). Solomon's gloss: "Even if they say to you about the right that it is the left and about the left³ that it is the right."⁴

On the same point, in *Seder Moed*, Tractate Shabbat [23a], in the chapter *Bameh Madlikin*, on the fact that they instituted the lighting of wax candles on the eight days in the feast of Hanukah on account of Judith's victory, and when they light them, they make a blessing. And they say: "What is this blessing? Blessed is he who sanctified us by his commandments and commanded us to light candles on the feast of Hanukah. Where did he command us? Rav Aviya says, In [the words] 'you will not stray.'" Gloss: "The lighting of candles is not from the Law but from a commandment of the scribes. Nevertheless, by what is written above 'you will not stray, etc.,' Rav Aviya intends to prove that what they command is as valid as if God had commanded it." "Rav Nachman, son of Isaac, says, 'Ask your father and he will tell you, your elders and they will tell you' (Deut 32:7)." Hence it happens that for the tradition which they made about the washing of hands, they say as follows, "Blessed God, our God, who sanctified us by his commandments and commanded us concerning the washing of hands." And they do the same in many things of this kind.

8. AND HE OUGHT TO DIE WHO DOES NOT OBSERVE WHAT THEY SAY. One reads this in *Seder Moed*, Tractate Eruvin [21b] (which means blendings), in the chapter *Osin Pasin* (which means making stakes), where it says: "Rabbah *darsat* (glosses), What does it mean which is written, 'My son, beware of anything more than these. Of making many books there is no end' (Ecc 12:12 at the end)? My son, be quick in the words of the scribes rather than in the words of the Law, because in the words of the Law there is 'do and do not do' [positive and negative commandments] (the above without the death [penalty]), but he who transgresses the words of the scribes deserves to die. And if you were to say, If there is substance (i.e. truth) in those things, why have they not been written down? 'Of making many books there is no end, and much study is a weariness of the flesh.' Rav Papa says: This teaches that anyone who mocks the words of the sages is punished in boiling excrement."

3 Reading *sinistra* for *dextra*.

4 Reading *dextra* for *sinistra*.

9. THEY PROHIBIT YOUNG CHILDREN FROM STUDYING THE BIBLE BECAUSE IT IS NOT A VIRTUE, AS THEY SAY, TO LEARN THESE THINGS, BUT, PREFERRING THE TEACHING OF THE TALMUD, THEY HAVE PROMULGATED CERTAIN INJUNCTIONS OF THEIR OWN ACCORD. One reads this in Berakhot [28b], in the chapter *Tēfilat Hashbachar* (which means morning prayer), where it says, “When Rabbi Eliezer was ill, his students came to visit him and said to him, Master, teach us the ways of life, the word by which we shall gain the life⁵ of the future world. He said to them, Be quick to honor your associates and keep your children from the study of the Law.” Solomon’s gloss, Do not accustom them to the mikra (the Bible), because it draws them too much to other teaching (heresy). And again he says, “Make your children sit at the knees of the disciples of the sages, and through this you will gain the life of the other world.”

What follows in the article is proved by what one reads in *Seder Yeshuot*, Tractate Bava Metzi’a [33a], in the chapter *Eilu Metziot* (i.e. finds), where it says, “He who studies the mikra (the Bible), it is and is not a virtue; he [who studies] the Mishnah⁶, it is a virtue for which a reward is given, but he [who studies] the Talmud, there is no greater virtue than that.”

10. AMONG THEM [ARE] SOME WHO PRESCRIBED AS LAW: KILL THE BEST CHRISTIAN. One reads this in *Elle Shemot* (Exod 14:7), “And [Pharaoh] took six hundred select chariots and however many chariots there were in Egypt.” Solomon’s gloss, “Where did those animals come from? If they belonged to the Egyptians, is it not written that all their animals were dead (Exod 9:6)? But if they belonged to the Israelites, is it not written, ‘All our cattle shall go with us; not a hoof of them shall be left behind’ (Exod 10:26)? Where, then, do they come from? Nowhere else than from this: that one of the servants of Pharaoh who feared the word of the Lord had his servants and cattle take refuge together in the houses [during the plagues]. For this reason Rabbi Shimon said: Kill the best of the *goyim*, crush the head of the better of the serpents”; as if to say that, because those who were good and feared the word of God handed over their animals to pursue the Lord’s people, the best of the *goyim* can be killed as well as a bad one.

5 Reading *vitam* for *vias*.

6 Omitting *et Talmud* after Mishnah.

11. AND LET THE CHRISTIAN WHO RESTS [ON THE SABBATH] OR STUDIES THE LAW BE PLACED UNDER PUNISMENT OF DEATH. One reads this in *Seder Yeshuot*, Tractate Sanhedrin [58b], in the chapter *Arbah mittot*; there it says, “Reish Lakish says, A *goy* who rests [on the Sabbath] ought to die, as it says, ‘Day and night they shall not cease’ [Gen 8:22].” And later, “Rabbi Yohanan says, A *goy* who studies the Law is deserving of death, as it says, ‘Moses commanded us a Law, an inheritance for the congregation of Jacob’ (Deut 33:4); it [the Law] was given to *us* not to *them*.”

12. AND ANY OF THE CHRISTIANS CAN BE DECEIVED BY ANY ARTIFICE OR CLEVER TRICK WITHOUT SIN. One reads this in *Seder Yeshuot*, Tractate Bava Qamma [38a] (i.e. the first gate), in the chapter *Shor She Nayah* (i.e. the ox that gored), in the Mishnah, where it says, “[In the case of] an ox of an Israelite that gored the ox of an outsider, [the Israelite] is not liable, but [in the case of] an ox of an outsider that gored the ox of an Israelite, whether it is a first-timer or accustomed to gore in the past, [the outsider] shall pay the full fine.” An objection is made against this in the Tractate (Gemara), “What is your intention? If [you mean] ‘his neighbor’s’ (Exod 21:35) (i.e. if the ox gored his neighbor’s ox), if ‘his neighbor’s’ is taken literally, when an outsider’s (ox) gored an Israelite’s ox, would he be exempt? But if ‘his neighbor’s’ is not taken literally, even an ox of an Israelite that gored an ox of an outsider⁷ would be liable, wouldn’t it?” The answer, “Rabbi Abbahu says, The *pasuk* ([biblical] authority) says as follows, ‘He stood and measured the earth; he beheld and drove the *goyim* (the gentiles) asunder’ (Hab 3:6). What did he see? He saw the seven commandments that the sons of Noah received upon themselves, but they did not keep them. He rose up and released (i.e. handed over, *abandonna* in French) their property to the Israelites. Rabbi Yohanan says, ‘He shined forth from Mount Paran, from Paran the Lord shined forth’ [Deut 33:2],” i.e. he handed over the property of the *goyim* to the Israelites. And later, “The masters *miaudent* (i.e. say), The kingdom of iniquity [Rome] once sent two commissioners to the sages of Israel; they said to them, Teach us your Law. They read it once, they read it twice, they read it three times. At the time of their departure, they said to the sages, We have read through your Law point by point, and it is truth itself except for that passage where you say that [in the case of] an ox of an Israelite goring an ox of a *goy*, [the Israelite] is not liable, etc., but we shall [not]⁸ report this passage to the kingdom.” Through

7 Reading *extranei* instead of *Israel*.

8 Loeb notes the negation in the text of the Talmud but does not emend the Latin.

this, the sages prove and say that God had placed all the possessions of other nations at the disposal of the Jews.

On the same point in the same tractate [Bava Qamma 113a and b], in the chapter *Hagozel* (the thief); Rabbi Ishmael says there, “[in the case of] a *goy* (Christian) and an Israelite who have come to court before you, if you can bring it about that the Israelite prevails in the court, do so and say to him [the Christian], This is our law; [if you can do so] in a court of the *goyim* (the nations of the world), make him [the Christian] pay him [the Israelite] and say to him (the Christian), This is your law; if not, one shall circumvent him through trickery and fraud.” And later Rabbi Simeon says, “Stealing from a *goy* (Christian) is forbidden, but [benefitting from] the loss of his possession is pardoned (i.e. allowed).” And later Rabbi Samuel says, “[Benefitting from] a miscalculation (i.e. an error in computation) on his part is pardoned.” This is proved there by numerous examples of the masters. Also later on, “Rabbah had it proclaimed: A son of Israel who knows evidence [favorable to] a *goy* (Christian) and testifies on his behalf in the court of the gentiles in regard to (against) his fellow Israelite, we excommunicate him.”

13. AND ANYONE WHO DOES NOT WISH TO BE BOUND BY SOME OATH, LET HIM DECLARE IN PUBLIC AT THE BEGINNING OF THE YEAR THAT THE VOWS AND OATHS OF HIS THAT HE WILL MAKE IN THAT YEAR ARE NOT VALID. One reads this in *Seder Nashim*, Tractate Nedarim [23b], [in the chapter *Arba'ah Nedarim*]⁹ (i.e. four vows); it says there, “He who wishes that his vows not be binding during the whole year, let him stand up at the beginning of the year and say, Let every vow that I expect to make during the whole year be void, provided that he remembers [his declaration] at the time of the vow.” But an objection is made, “If he remembers at the time of the vow, has he nullified his stipulation (declaration) and confirmed his vow? And Abaya said, It says [instead], provided that [he does not remember at the time of the vow. Rabbah says, No, it is as we said from the beginning, but provided that]¹⁰ he made this stipulation at the beginning of the year but at the time of the vow he did not know what he would promise, and now he makes a vow. If he is mindful of his declaration at the time of the vow, he will say, I make my vow in accordance with my previous intention; [in that case] there is no substance in it (the vow) at that time. If he did not say, I vow in accordance with my previous intention, he has nullified his

9 Supplied by Loeb.

10 Supplied by Loeb.

own stipulation (declaration).” Gloss, “Both agree in this: that a declaration made at the beginning of the year makes the vows of that year invalid, but Abaya implies that he [the person making the vow] is not mindful of his declaration at the time of the vow, and Rabbah implies that he is mindful of it.”

14. ALSO THREE JEWS, WHOEVER THEY MAY BE, CAN RELEASE ANYONE FROM EVERY OATH. One reads this in *Moed*, Tractate Hagigah [10a] (i.e. festival), in the first chapter; it says there, “The [rule about the] dissolving of vows hovers in the air (i.e. has no foundation in the Old Testament). Rabbi Eliezer says, “They (i.e. vows) do have something upon which to rest, in as much as it is said twice, ‘When they shall be astonished’ [Num 6:2], in one astonishment as to obligating and in the other astonishment as to releasing. Rabbi Joshua says, They (i.e. vows) do have something upon which to rest, in as much as it is said, ‘What I swore in my wrath’ [Ps 95:11], I swore in my wrath and I regret it.” Gloss, “Through this it is shown that a vow can be revoked when the person who made the vow regrets it; it also proves that a vow and an oath [are valid] only in so far as they are accepted as valid for the same [the person who swore them], because Rabbi Joshua confirms the releasing of vows through God’s repentance of his oath.”

It also proves this through the following, “If any man should make a vow to the Lord or bind himself by an oath, he shall not let his word be in vain” (Num 30:3); hence Samuel says after the aforesaid words of Rabbi Joshua, “If I had been there, I would have said to them, My proof is better than yours, as it is written: ‘He shall not let his word be in vain’; *he* does not invalidate his word, but *others* (who release him) invalidate it for him.”

Rabbah also says, in the abovementioned chapter *Arba’ah Nedarim* [Nedarim 22a], that “all who [make a vow is like one who]¹¹ builds a *bama* (a high place), and he who keeps it (i.e. who does not have himself released from a vow) is like one who sanctifies (sacrifices) on high.” Through this it is clear not only that a person can have himself released from a vow, but also that he is bound by it.

Also in *Nashim*, Tractate Nedarim [78a], in the chapter *Naara Hameurasa* (i.e. a betrothed girl), one reads, “The dissolving of vows [is made] by three laypersons.” An objection is made, “Is it not written, ‘He spoke to the heads of the tribes, to the leaders of the children of Israel [and said]: If any man should make a vow to the Lord, etc.’ [Num 30:2–3]. Therefore, not laypersons but

11 Supplied by Loeb.

masters ought to release.” – “Rav or Rabbi Yohanan says, ‘By one *manualis* (*menier* in French, i.e. one master).’” Through this they prove that three laypersons or one sage can release from vows.

15. THEY ALSO CLAIM THAT THE LORD SINNED. One reads this in *Kodashim*, Tractate Sirassim [Hullin 60b], in the chapter *Elu Trefot* (i.e. those [beasts] that were torn), “It is written, ‘God made two great lights,’ and it is written, ‘The great light and the small light’ (Gen 1:16). The moon said to the Holy One, blessed be he (before God), Master of the universe, is it possible for two kings to wear one crown? God said to her, Go and make yourself smaller. She said to him, Master of the universe, shall I diminish myself just because I suggested something proper to you? God said to her, Go and rule by day and by night. She said to him, What is the value of a candle at midday? God said to her, Go and let the Israelites compute the days and years by you. And she said, In like manner they will compute their seasons through days [by the sun], as it is written, ‘And they will be for signs and for seasons and for years and for days’ [Gen 1:14]. And God said to her, Go and let the righteous be called by your name, ‘Jacob the Small, [Samuel the Small,]¹² and David the Small.’ God saw that her heart was not assuaged, and God said, Bring an atonement offering for me because I have diminished the moon. And this is what Reish Lakish says, Why is a he-goat offered at the beginning of the month? Because it is said in the same [Num 28:15], God said, Let that he-goat be an atonement for me because I diminished the moon.”

16. AND THAT HE REPENTED THE OATH THAT HE MADE IN ANGER. One reads this in *Moed*, Tractate Hagigah [10a], in the first chapter; it says there, “‘What I swore in my wrath’ [Ps 95:11], I swore in my wrath and I regret it.”

17. AND THAT HE CURSED HIMSELF BECAUSE HE HAD SWORN AN OATH AND ASKED TO BE RELEASED FROM IT. One reads this in *Yeshuot*, Tractate Bava Batra [73b–74a], in the chapter *Hamokher*, where it says, “Rabbah, the son of the son of Hanna, said, A certain merchant said to me, Come, I will show you Mount Sinai. And I saw that scorpions surrounded it, and they were like white hills. And I heard the daughter of a voice (the voice of God) saying, Woe is me, because I swore an oath (gloss: about the subjugation of the Israelites), and now that I have sworn, who will release me? And when I came before the masters, they said to me,

12 Supplied by Loeb.

Every Abba is an ass, every son of the son of Hanna is ignorant; you ought to have said, 'Mufar l'cha, mufar l'cha' (i.e. You are released, You are released, that is, I release you). But he [Rabbah] thought that that oath (was) about the flood, but the masters (said), If that is so, what does 'Woe is me' mean?" Gloss: "If it is in regard to the oath about the flood, why did he say 'Woe is me,' since the oath was a good one?" But because it was in regard to the oath about [the Israelites'] subjugation, he said "Woe is me" on account of the distress that he had regarding it, as it is written, "In all their affliction there is affliction for him" (Is 63:9). However, *lo* is written there by [the letters] *lamed* and *aleph*, which means 'not,' but they read *lo* by [the letters] *lamed* and *vav*, which means 'for him.'

18. AND THAT EVERY NIGHT HE CURSES HIMSELF BECAUSE HE DESTROYED THE TEMPLE AND SENT THE ISRAELITES INTO SLAVERY. One reads this in Berakhot [3a] (which means benedictions), in the first chapter, second folio, where it says, "There are three watches in the night, and before one watch and¹³ another, God sits and cries out like a lion and says, Woe is me, because I destroyed my home and I burned my palace and I sent my children into captivity among the nations of the world. Rabbi Jose said, I once entered a ruined part of the wall of Jerusalem to pray. Elijah of good memory came and guarded the door for me and waited until I had finished my prayer. I came out, and Elijah said to me, Peace be with you, my master, and I answered, Peace be with you, my lord and master. (And later,) And he said to me, My son, what voice did you hear in that deserted place? I said to him, The daughter of a voice cooing (*bruient*, in French) like a dove and saying, Woe is me, because I made my home a wasteland and I burned my palace and I sent my children into captivity among the nations of the world. And he (Elijah) said to me, By your life and the life of your body, not only at this hour does he speak thus, but every day he speaks in this way; and that is not all, but at the time when the Israelites enter houses of prayer and schoolhouses and respond, Let his¹⁴ name be blessed, God shakes his head and says, Happy is the king who is praised in such a way in his own house, woe to the father who has enslaved his own children, and woe to those children who have been sent into captivity away from their father's table."

19. THEY ALSO SAY THAT HE LIED TO ABRAHAM. One reads this in *Yeshuot*, Tractate Bava Metzi'a [87a], in the chapter *Hasokher*, where Rabbi Ishmael says, "How

13 Reading *et custodiam* for *est custodia*.

14 Omitting *Magistri* after *eius*.

great is peace that [God] deviated for it (i.e. he lied for its sake), as it is written, 'The Lord said to Abraham, Why did your wife Sarah laugh and say, Shall I, an old woman, indeed bear a child?' (Gen 18:13). Yet she had not said that, but rather, 'After I have grown old, and my lord is an old man, etc.' [Gen 18:12], and God changed her words so that Abraham would not be offended because she called him an old man."

20. AND THAT HE ORDERED THE PROPHET SAMUEL TO LIE. One reads this in *Nashim*, Tractate Yevamot [65b], in the chapter *Haba al Yevimto*, the last folio, where it says, "It is exempt (permitted) to lie in a matter related to peace, as it says, 'Your father commanded us before he died that we should say these words to you: I pray that you forgive your brothers' crime' (at the end of Genesis, 50:16 and 17) (and they were lying)." Rabbi Nathan says, "It is charity (to lie, namely for the sake of peace), as it is written, 'But Samuel said, How can I go, etc.' (And later,) 'And you will say, I have come to sacrifice to the Lord' [1 Sam 16:2 and 3]. In the house of Rabbi Ishmael it is said, How great is peace that God lied for it, for at first it is written, 'And my lord is an old man,' but in the end it is written, 'And I am an old woman' (Gen 19)."

21. AND AFTER HE DESTROYED THE TEMPLE, A SPECIFIED PLACE MEASURING FOUR CUBITS WAS LEFT FOR HIM, WHERE HE STUDIES THE SAID TEACHING [THE TALMUD]. One reads this in *Moed*, Tractate Berakhot [8a] (which means benedictions), in the first chapter, where it says, "Since the day in which the house of the sanctuary [the Temple] was destroyed, there are no [places] left for God except only a space of four cubits of *Halakha*," i.e. four cubits where he studies *halakha*, i.e. the Talmud.

22. AND EVERY DAY HE ENGAGES IN STUDY, TEACHING CHILDREN WHO DIE WITHOUT BEING INSTRUCTED IN SUCH KNOWLEDGE. One reads this in *Yeshuot*, Tractate Avodah Zarah [3b] (which means cult of the pagans), in the first chapter, where it says, "There are twelve hours in a day; in the first three God sits and *myaude* (i.e. studies) the Law; in the second three he sits and judges the whole world; when he sees that the whole world is guilty (*†audecoz†*, in French), he rises from the seat of justice and sits upon the seat of mercy; in the third he sits and rules (i.e. feeds) the whole world, from the rhinoceros down to the fleas; in the fourth he sits and sports with the Leviathan, as it says in the Psalm, 'That Leviathan You formed to sport with it' (Ps 104:26). Aha asks Rav Nachman, From the time of the destruction of the Temple, there has been there no laughter before the Lord.

From whom [do we know this]? As Rabbi (Isaac) says, As it is written, ‘And on that day did the Lord God of hosts call to weeping and lamentation, etc.’ [Is 22:12]. [If that is so, then,] in the fourth three hours what does he do [now]? He sits and teaches children in the house of the master (i.e. those who die young while they were still being taught), as it is written, ‘Whom shall he teach knowledge and whom shall he make to understand what he has heard? Those who are weaned from the milk, those strong from the breast’ (Is 28:9). And before [that], who taught them (when he sported with the Leviathan)? If you wish, say [it was] Metatron (the great angel), but if you wish, say that the Lord did both at the same time, etc.” You will find this more fully in the [résumé of] Tractate Avodah Zarah above.¹⁵

23. HE ALSO ASKS HIMSELF TO HAVE MERCY ON THE JEWS. One reads this in *Moed*, Tractate Berakhot [7a], in the first chapter. “Rabbi Yohanan says in the name of Rabbi Jose, How [do we know] that God prays? Because it is written, ‘I shall make them joyful in the house of my prayer’ (Is 56:7)”; it does not say in the house of *their* prayer but in the house of *my* prayer, hence [we know] that God prays. “What does he pray for? Rav Papa says, May it be my will that my mercies prevail over my anger, and my mercies devolve upon my Jews, and I conduct myself with my children in the manner of mercy and that I may enter into the measure of judgment with them.”

24. AND HE ANSWERS THAT HE WAS DEFEATED BY THEM IN THEIR DISPUTATION ABOUT THE SAME TEACHING [THE TALMUD]. One reads this in *Yeshuot*, Tractate Bava Metzi’a [59b] (i.e. the middle gate), in the chapter *Hazahab* (i.e. gold), about a certain disputation between Rabbi Eliezer and student[s of the] sages; it says there, “Rabbi Eliezer gave all the responses in the world, but they did not accept them from him. He said to them, If it is as I (say), let that tree prove it; the tree was uprooted from its place and went four cubits away and came back and stood in its own place. They said to him, A person does not bring forward an analogy¹⁶ (example) from a tree. – He said to them, If it is as I (say), let the stream of water prove it; they (the waters) turned backward. They said to him, A person does not bring forward an example from waters. – He said to them, If it is as I (say), let the walls of the schoolhouse prove it; the walls of the school bent over [as if about] to fall. Rabbi Joshua rebuked them (the walls), If they get

15 The résumé is not included in Loeb’s edition.

16 Reading *similitudinem* for *similitudine*.

the better of him, what affair is it of yours to fall down? They [the walls] did not fall down out of respect for Rabbi Joshua, but they did not right themselves out of respect for Rabbi Eliezer, and they still stand tilted. – He said to them, If it is as I (say), let them prove it from heaven; and the daughter of a voice (the voice of God) issued forth and said to them, why are you [disputing] with Rabbi Eliezer, for it is true as he (says) in every place. And Rabbi Yehoshuah rose to his feet and said, ‘It (the Law) is not in heaven’ [Deut 30:12]. What does ‘it is not in heaven’ mean? It [the Law] has already been given to us on Mount Sinai, and it is written in it, ‘After the majority you will incline’ [Exod 23:2]. Rabbi Nathan came upon Elijah and said to him, What did God say at that time? He replied, He laughed and said, My children have defeated me, my children have defeated me.”

25. AND HE CRIES THREE TIMES EVERY DAY. One reads this in *Moed*, Tractate Hagigah [5b], in the first chapter, where it says, “And if you do not heed it, my soul will weep in secret because of your haughtiness’ (Jer 13:17). What does ‘in secret’ mean? Rav Samuel, son of Inya, said in the name of Rav, The Lord has a place where he cries in it, and ‘secret’ is the name of that” place. “What does ‘because of your haughtiness’ mean? Rav Samuel, son of Rabbi Isaac, said, Because of the exaltedness of Israel, which was taken from them and given to the nations of the world. Rav Samuel, son of Nachmani, says, Because of the exaltedness of the kingdom of heaven. But is there weeping in the presence of God? And did not Rav Papa say, There is no sadness¹⁷ in the presence of God, as it is written, ‘Glory and majesty are before him; might and delight are in his place’ (Ps 96:6)?” They resolve it, “There is no contradiction; one is in the inner chambers, the other in the outer chambers (as if to say, he weeps in one and rejoices in the other). But is it not written (Is 22:12), ‘On that day did the Lord God of hosts call to weeping and lamentation?’” They resolve it, “The destruction of the house of the sanctuary [the Temple] is different because even the angels wept, as it is written, ‘The angels of peace will weep bitterly [Is 33:7], and my wailing soul will wail again, and a tear will fall from my eye because the Lord’s flock has been taken captive’ (Jer 13:17). Rabbi Eliezer, What do those three ‘tears’ (wailing, will wail, tear) mean? One is for the first Temple, and one is for the second Temple, and one is for the Israelites, because they were taken captive. But others say, One for the obstacles to the Law. (And later,) The masters say, God cries each day for three [types of people]: for him who is able to study

17 Reading *tristitia* for *ita*.

Church).” The same words are in *Moed*, Tractate Megillah [25b], in the chapter *Hakorei et Hamegillah*. Hence they are accustomed to call the blessed Virgin unclean and a prostitute, and the eucharist an unclean sacrifice; namely, they call the blessed Virgin *temea* (which means unclean) and *kedesha* (which means prostitute) and the eucharist *zebah tame* (which means unclean sacrifice).

29. AND THEY USE CERTAIN WORDS WITH WHICH THEY DISPARAGE THE ROMAN PONTIFF AND CHRISTIANITY. For they call male saints *kedeshim* (which means fornicators) and female saints *kedeshot* (which means prostitutes) and the Church *beit moshab* or *beit kise* (which means latrine). Also [they call] the cross and the Church *toevah* (which means abomination); holy water *mayim temeim* (i.e. unclean waters); blessing *kelala* (which means curse); preaching *nobah* (which means barking). Also one reads in *Yeshuot*, Tractate Avodah Zarah [20a], in the first chapter, that it is forbidden for someone to say, How handsome is that *goy* (Christian)! Hence they are accustomed to call something beautiful *mekhoar* (which means ugly) and something ugly *mekhoar megune*²⁰ (which means especially ugly). They even apply blasphemous names to all our feasts.

30. THREE TIMES A NIGHT IN THE PRAYER THAT THEY CLAIM IS THE MOST WORTHY THEY CURSE MINISTERS OF THE CHURCH, KINGS AND ALL OTHERS, EVEN JEWS THEMSELVES, WHO ARE THEIR ENEMIES. That prayer is in the Talmud and ought to be said standing with feet together, and in no way should one say anything else until the person who is saying it has finished, nor should one interrupt it even if a serpent were wrapped around the person’s ankle. Men and women say this at least three times daily, the men in Hebrew and the women in the vernacular and both in a low voice. Moreover, the priest says it twice out loud, and the rest respond ‘Amen’ to each curse. The section of the prayer in which they curse those whom we mentioned above is as follows, “For converts let there be no hope, and let all *minim* (infidels) be destroyed in a moment (suddenly), and let all the enemies of your people, the Israelites, be cut off; and the kingdom of iniquity uproot and crush and cast down and humble all our enemies speedily in our day; blessed art Thou, O God, who breaks our enemies and humbles the impious.” This section is called the benediction relating to the *minim*, and the whole prayer is called *Shemoneh Esrei* (which means eighteen), although there are nineteen benedictions. Hence an objection is made on this account in *Moed*, Tractate Berakhot [28b], in the chapter *Tefilat Hashachar* (i.e. morning prayer),

20 Reading *megune* for *maginas*.

“Are there only eighteen? Are[n’t] there nineteen? Rabbi Levi says, They instituted the benediction relating to the *minim* (the infidels) in Jabneh.” – Solomon’s gloss, “A long time after the other benedictions, near [the time of] the heresy of Jesus Nocerī (of Nazareth), who taught them (the infidels) to pervert the words of the living God.” For in the book *Moed*, Tractate Rosh HaShanah [17a] (i.e. the beginning of the year), in the first chapter, it says, “The *minim* are the disciples of Jesus Nocerī, who subverted the words of the living God into evil.” The same words are in the same book, Tractate Berakhot.

31. IT IS ALSO CONTAINED IN THE SAID TEACHING THAT JEWS DO NOT SUFFER THE PUNISHMENT OF HELL FOR MORE THAN TWELVE MONTHS, AND THE PUNISHMENT OF GEHENNA CANNOT HARM THEM ANY LONGER THAN THAT. One reads this in the book of *Moed*, Tractate [Eruvin 19a, in the chapter]²¹ *Osin Pasin*, where it says, “As for the sinners of Israel, the fire of hell has no power against them.” But later an objection is made, “Is it not written, ‘Those who pass through the valley of lamentation’ [Ps 84:7]? This is said about those who transgress against the will of God because hell is deepened for them, and they lament their sins there.” They resolve it, “That passage is about those who owe the penalty of one hour in hell, and Abraham descends and makes them rise up from there, except for him who lay with a *goya* (a Christian woman) because his prepuce is spread out, and Abraham [does not] recognize him” since his circumcision is not apparent.

The fact that they do not suffer punishment for more than twelve months is proved by what one reads in the first chapter of Rosh HaShanah [17a], where it says, “The sinners of Israel [who sin] with their bodies (i.e. those who do not wear phylacteries on their heads) and the sinners of the nations of the world [who sin] with their bodies descend into hell and are sentenced [to suffer] there for twelve months. After twelve months their body comes to an end, and their soul is burned, and a wind scatters them (their bodies), and they become dust under the soles of the feet of the righteous, as it is written, ‘And you will trample the impious when they are dust under the soles of your feet’ (Mal 3:21). But those who separated themselves from the ways of the synagogue like the *minim* (infidels) and the *apikorsim* (who despise the words of the sages) and the *mesorot* (informers) who deliver the property of the Jews into the hands of the *goyim* (i.e. the gentiles), and the *meshumadim* (apostates), both those who rejected the Law and those who rejected the resurrection of the dead, and those who instilled

21 Supplied by Loeb.

their terror in the land of (the present) life, and those who sinned and caused others to sin like Jeroboam, the son of Nebat and his cohorts, descend into hell and are sentenced [to suffer] in it from generation to generation, as it is written, 'They will go out and see the corpses of the men who rebelled against me; their worm will not die, and their fire will not be extinguished' [Is 66:24]. Hell has an end, but they have no end (end of Is)."

Also in the book of *Moed*, Tractate Shabbat [33b], one reads that Rabbi Shimon and his son said, "The sentence against the impious is twelve months in hell."

32. AND HE WHO STUDIED THE AFORESAID TEACHING [THE TALMUD] IN THE PRESENT LIFE IS SAFE IN THE FUTURE. One reads this in *Seder Moed*, Tractate Megillah [28b], in the chapter *B'nei ha'ir*, "It is said in the house of Elia, Everyone who studies the *Halakhos* (the words of the Talmud), it is assured for him that he will be a son of the future world." The same words are in the book of *Nashim*, Tractate Niddah [73a], at the end.

33. AND THEY REGARD ALL WHO FAST AS SINNERS. One reads this in the book of *Moed*, Tractate Taanis [11a], in the first chapter, where it says, "Rabbi Samuel says, Everyone sitting in a fast is called a sinner, as it is written about a Nazarene, 'And it will be forgiven him because he sinned concerning the soul' [Num 6:11]. And we read that Rabbi Eliezer HaKappar says, What does 'And it will be forgiven him, etc.' teach us to learn? Against what soul did he sin? Namely that he distressed himself (by abstaining) from wine; then surely by the light and heavy (through an argument *a fortiori*), [if] that man who only distressed himself [by abstaining] from wine is called a sinner, how much more [of a sinner] is he who distresses himself [by abstaining] from all things; [if] on account of one (reason) so many others (i.e. not only for one reason but for many)."

34. SAYING THAT ADAM LAY WITH ALL THE BEASTS AND THE SERPENT LAY WITH EVE. One reads about Adam in the book of *Nashim*, Tractate Yevamot [63a]; Rabbi Eliezer says there, "What does it mean which is written, 'This time it is bone of my bones and flesh of my flesh' [Gen 2:23]? It teaches that he came over each animal, wild and tame, but his spirit was not refreshed until Eve was prepared for him." – Solomon's gloss: "'This time,' therefore, at other times he serviced [the others by turns] (he lay with them), but they did not ascend into his spirit (i.e. they did not please him)."

35. AND THAT HAM ABUSED NOAH, HIS OWN FATHER. One reads this in the book of *Yeshuot*, Tractate Sanhedrin [70a], where it says, “‘And Ham, father of Canaan, saw the nakedness of his father, etc.’ [Gen 9:22]. Rav and Samuel: one says he castrated him; the other says, he abused him.” There is more above in the aforementioned chapter.

These are the articles about which Pope Gregory ordered that the books containing them be burned.

Latin Confessions

Translated from Paris, Bibliothèque nationale, Lat. 16558, fols. 230c–231c, edited by Isidore Loeb in “La controverse de 1240 sur le Talmud,” *Revue des études juives* 3 (1882): 55–57.

The Depositions of Masters Vivo and Judah

In conclusion, as a warning for the future and for greater certainty about preceding events, I do not want this to escape your notice: that, although the case for burning the books of the Talmud, which contain the strange things mentioned above and others like them, had for some time been aired before our most Christian king, Louis, he finally gave us other hearers, namely the archbishop of Sens, the bishop of Senlis, and the chancellor of Paris (now the bishop of Tusculum and the legate of the Apostolic See in the Holy Land).

And so, on the appointed day, when we had been summoned and the more experienced masters of the Jews had been called before them, they began to inquire into the truth of what has been set forth above. And the most experienced among them and the most famous throughout all of Jewry, Vivo¹ of Meaux by name, was brought in first. I do not consider it superfluous to include their depositions here.

[Confession of Master Vivo]

[1] The aforesaid Master Vivo was in no way willing to swear an oath.

[2] He said that the book of the Talmud never lied.

[3] He said that Jesus Noceris Jesus of Nazareth, the son of Miriam (Mary), who was hanged on the evening of Passover, and he acknowledged about him that [the Talmud says] he was born in adultery and that he is punished in hell in boiling excrement and that he lived in the time of Titus. He says, though, that he was different from our Jesus (but he was unable to say who he was, hence it is quite clear he was lying).

[4] Also he said that they read the Talmud in the schools more regularly than the Bible, and that a person who knew the Bible, even by heart, would not be called a master if he did not know the Talmud.

1 Reading *Vivo* for *Vino*; i.e. Rabbi Yehiel.

[5] Also he said that masters could revoke God's commandment about blowing a horn on the first day of the seventh month [6] and about carrying palms on the fifteenth day and that they would do so if it fell on the day of the Sabbath so that it would not happen that a horn or a palm be carried through the street on that day.

[7] Also he said that it is written in the Talmud that gentiles who did not stand on Mount Sinai and did not receive the Law are contaminated by that uncleanness that the serpent infused into Eve when he lay with her, [8] and the Talmud says about such people that animals must not be entrusted to them because the animals of Israel are more lovable to them than their own wives; [9] Master Vivo says, though, that he does not understand this of Christians (let him who wishes believe him, he lied).

[10] Also he acknowledged that [the Talmud says] Adam lay with all the beasts and that this [happened] in paradise.

[11] Also he said, and it is in the Talmud, that Adam, after he had sinned, one hundred and thirty years before he sired Seth, sired demons with bodies from his own seed, which the wind snatched up and propelled.

[12] Also he said that the whole Talmud, with regard to its commandments and judgments and arguments and expositions, had been given to Moses on Mount Sinai, not in writing but orally in his heart.

[13] Also he admitted, and it is in the Talmud, that God said, "Woe is me, because I swore an oath, and now that I have sworn, who shall release me?" And the masters said that Rabbah was an ass because he did not respond to the voice of God when he said this: You are released, you are released.

[14] Also he said, and it is in the Talmud, that God curses himself three times every night because he destroyed the Temple and subjected the Jews to slavery.

[15] Also he said that it is in the Talmud that the Prophet Elijah used to frequent the schools of the rabbi, etc.

[16] Also he said that no Jew will ever feel the punishment of hellfire and none of them will be punished by any other punishment in the other world for more than twelve months.

[17] Also he said that it is in the Talmud that both the bodies and souls of all evil men will be reduced to dust and they will have no other punishment after this, with the exception of those who rebelled against God in such a way that they wished to be gods, and these will be punished forever; hell will cease but their hell, never.

[18] Also he said that three ordinary people and one master who was in the Promised Land may release [someone] from a vow and an oath made lightly,

even one made deliberately, if he regrets it and it does not affect another person; [19] and if it does affect someone else, provided that person is present; [20] and the example of Zedekiah and Nebuchadnezzar is given (it is above).² [21] Hence the Lord himself commanded Moses to go and be absolved before Jethro from the oath he had made to him that he would live with him.

[22] Also he said that it is written in the Talmud that whoever declares in public at the beginning of the year that his oaths and promises are not valid in that year, [those oaths and promises] will not bind him if he is mindful of the said declaration when he makes the vow or oath or promise. He said, though, that he understands this of vows or oaths or promises made to oneself and not to another person.

[23] Also he said that it is in the Talmud that God daily engages in study, teaching children, and that he sits and sports with the Leviathan.

[24] Also he said that he asks himself, “May it be my will that my mercies overcome my offense, etc.” (You have this above.)³

[Confession of Master Judah]

[1] Master Judah⁴ admitted that it is written in the Talmud that the son of Stada is the son of Mary, who was hanged in the evening of the Passover on the eve of the Sabbath because he incited the people and practiced witchcraft, and a gloss of Solomon of Troyes teaches about him that he was Jesus Nocer (of Nazareth), and Jacob, the glosser of these matters, speaks similarly.

[2] Also he said that it is in the Talmud that Jesus is punished in hell in boiling excrement because he mocked the words of the sages, but he does not understand this of our Jesus (he lied), and yet that Jesus was a Jew and he lived around the time of Titus or before.

[3] Also he said that it is written in the Talmud that Rabbi Nathan met the Prophet Elijah after a disputation of Rabbi Eliezer with others; and Elijah said to him that at the time of that disputation God laughed because they were unwilling to believe the voice from heaven and said, “My children have defeated me, my children have defeated me.”

[4] Also he said that he believes that whatever is in the Talmud is true, but it is not valid except in those matters that pertain to the Law (he lied and is contrary to the Talmud).

2 Not included in Loeb's edition.

3 Cf. Article 23.

4 Rabbi Judah ben David of Melun.

[5] Also he said that there are two laws and one cannot take effect except through the words of the sages, and that is the Talmud; and it is contained in it that the words of the sages ought to be paid greater attention and to transgress them is a greater sin than to transgress the written law, for in that law it is written “to do and not to do,” and he does not deserve death for those matters, but he who transgresses the words of the sages does deserve death.

[6] Also he admitted that it is written in the Talmud that they should not permit their children to study the Bible, and Solomon of Troyes glosses: because studying the Bible draws them away to another faith. But he [Judah] says that it is for this reason: because there are many difficult and obscure things there that cannot otherwise be understood except through the Talmud.

The Disputation of Rabbi Yehiel of Paris

Translated by JOHN FRIEDMAN

[Author's Prologue]

On the lips of the discerning shall wisdom be found.¹
The Oracle of Duma² is clear prophecy³
About those who would conceal their plan in secrecy,⁴
To attack the innocent poor destructively.⁵
But in the mouth of the righteous lies a powerful sword
And in his tongue the will to assuage wrath and anger
In the presence of the king and our enemies.
On the day of destruction, scandal, and devastation,
And reproof, contempt, and insult,
And wrath, great agitation, and animosity,
There was much confusion and great darkness in the land.
And fearful distress fell upon the host of heaven,
For the sun and moon dimmed,⁶
And the heavens were violently agitated,
The stars gathered in their bright rays.
The lion, it roared; the elephant, it trumpeted.
And every face turned ashen,⁷
For [the hosts of heaven] wandered and roamed,⁸

1 Cf. Prov 10:13 and 14:33.

2 Is 21:11. Duma is a son of Ishmael and a nation. This is a prophecy of hope against Israel's enemies.

3 Hab 2:2.

4 Is 29:15.

5 Jer 2:34.

6 Joel 3:4.

7 Nah 2:11.

8 Lam 4:15.

And the Rephaim⁹ rose from the earth,
And the land was consumed.
For out of the north¹⁰ came a destroyer,
As against us arose an insect.¹¹
Destruction has issued from him,
The gate is breached.¹²
A new thresher threshes upon the threshing board.¹³
With his teeth and eyes he destroys;¹⁴
With mocking language and humiliation¹⁵
He attacks us,
Despoiling the fragrance of the honey-comb,¹⁶
Obscuring the words of the sages.
His voice is like that of a serpent with his mouth covered.¹⁷
And in the language of the piercing sword he speaks.
He transforms law into wormwood;
That which is all white [he transforms] into sinful.
He was like a snake [turned into] a staff of wickedness.¹⁸

[The Setting]

Recently, he [the accuser] assimilated himself into the gentiles and was named “Nicholas the apostate” – may he diminish and die. Initially, he was named “Donin” – may he have no progeny¹⁹ and may the name of the wicked rot.²⁰ He collected calumnies against us and brought allegations against

9 A people of giants said in Deut 2:20ff to have been wiped out by the Lord. Their rising from the earth would have eschatological implications.

10 France.

11 A reference to Nicholas Donin.

12 Biblical/rabbinic idiom. See Eccl 10:8, “He who breaches a gate, will be bitten by a snake.” Perhaps a reference to Nicholas Donin, the apostate prosecutor who “breached the gate” by converting to Christianity.

13 Is 41:15.

14 Abravanel, *Beraishit*, Chap. 2, referring to the serpent of Genesis who slanders with his eyes.

15 Lit., “disgrace of man.”

16 See *Talmud Bavli*, Sotah 48b.

17 Allusion to Lev 13:45 describing the leper’s correct behavior.

18 Allusion to Exod 7:12.

19 The Hebrew word *nin*, or progeny, is a play on the name DoNIN.

20 Prov 10:7.

us before the king and the mendicants²¹ and the reigning bishops. The despicable one – a wicked uprooter – gathered all the chief priests in the city of Paris and put into their mouths his own words, so that they would all support him.

On the second day of [the week of] Parashat Balak,²² in the courtyard of the palace of the king, did those worshippers of Molech²³ assemble. They intended to cast away [i.e. destroy] the glory of Israel, the Torah of the God of truth [i.e. the Talmud]. And the heretic [Donin] sought to destroy all the Jews by establishing error in the carved tablets²⁴ and by destroying all that is engraved in the words of the tablets, and to nullify the joy of the sages. He ordered that they bring before him the book of four columns. His language was that of a viper. He thought, “I will inquire about its secrets, and I shall condemn it, and it shall be condemned with the help of the mendicants who exalt idols.”

The four righteous ones – the blessed offspring of the nation of priests – were pressed to do battle of war on behalf of God, to defend themselves and to be zealous for the Torah of God, with the help of the Lord. [They were] Rabbi Judah son of my Rabbi David²⁵ and our Rabbi Samuel son of Rav Solomon²⁶ and that great angel, our Rabbi Yehiel,²⁷ and Rabbi Moses of Coucy.²⁸ They came to the court of the king,²⁹ confused and oppressed in the presence of the condemning court, improperly rebuked. And all the community of Israel was as sheep without a shepherd.

The misleading fool set out to read aloud one percent of the Talmud, for he intended to harm us. He first called Rabbi Yehiel alone. While he stood in judgment before them, God, Praised be he, was zealous for his Torah and had mercy upon the remnant of his possession,³⁰ because of his righteousness. So

21 Lit., “the roped ones,” referring to a rope belt or cincture, worn with three knots hanging on the right side to symbolize poverty, chastity and obedience.

22 On Monday, the second day of the week, the Torah portion Balak was read in the synagogue.

23 Lev 18:21; deity to whom children were said to be offered.

24 The Ten Commandments, here referencing Exod 20:1–14.

25 Judah ben David of Melun, separately interrogated.

26 Samuel ben Solomon of Château Thierry in Falaise, in northwestern France.

27 Yehiel ben Joseph, head of the Tosafist bet ha-midrash in Paris and teacher of the author, Joseph ben Nathan. Officiel.

28 Moses ben Jacob of Coucy, well-known author of the very popular *Sefer Mitzvot Gadol*.

29 See Est 4:2. The *sha'ar ha-melech* or “gate of the king” indicates the location where the king sits in judgment. In France, this would be his court.

30 His possession refers here to the Jewish people.

He sent his word through the mouth of his servant, and his spirit glistened within him. He [God] placed responses within his heart, so that he could answer with convincing words their vain delusions and deceptions.³¹

And all the Jews drew back, and sighing and wailing overtook them. Sighing and mourning and groaning were spread around³² the crowd. And in words and righteousness they called out to the One enthroned on Cherubim,³³ for indeed the victims of the sword are better off than those who dwell desolately without Torah.

[The Antiquity of the Talmud]

The faithful messenger, clothed in strength, said to the apostate, "About what do you dispute with me and what do you wish to ask?" The apostate answered, "I would query you about an old matter, as I will not deny that the Talmud is over four centuries old." The rabbi answered, "[It is] more than fifteen centuries [old]."

Then he said to the queen [Blanche of Castile], "If you please, my ruler! Do not compel me to answer his claims, since he admitted that it [the Talmud] is very ancient³⁴ and until now no one has made charges against it. Behold, Jerome, the tonsured one,³⁵ knew all of our talmudic law, as it is known to all of the clerics. If there were anything damaging in it, it would not have been left undisturbed until now. Moreover, were there no priests or apostates [from Judaism] as weighty as these, until now?³⁶ There has been no utterance [against the Talmud] nor words [against it] whose sound has been unheard³⁷ during [the preceding] fifteen centuries. What then have you found against us to bring us [the four rabbis] here to risk our lives³⁸ to do battle about our Talmud with this sinner, who has denied the words of the sages for fifteen years and who believes only in that written in the Torah of Moses, without any interpreta-

31 Lam 2:14.

32 Est 4; an allusion to the passing out of sackcloth during the king's edict against Persian Jewry.

33 1 Chr 13:6.

34 Lev 26:10, lit., "old grain long stored."

35 Jerome (ca. 347–420), translator of the Bible into Latin, i.e. the Vulgate. Rabbi Yehiel refers to him as "the tonsured one."

36 Early apostates brought knowledge of Hebrew and the Talmud to the Church.

37 Ps 19:4.

38 Est 9:16.

tion.³⁹ But you know that every [biblical] statement requires explanation. For this reason we separated him from us and excommunicated him, and ever since, until now, he has plotted evil against us to uproot everything. But his effort is hopeless, for we will die for it [the Talmud], for he who touches it touches our very eye.⁴⁰ But if your anger will afflict us, nonetheless our far-flung [brethren] reach the ends of the Earth.⁴¹ Indeed, this Torah of ours [the Talmud] is found in Babylonia, Media, and Greece, and among Ishmael⁴² and among the seventy peoples on the far side of the River Kush. Therefore, our bodies are in your power, but not our souls.”

A courtier called out, “No one shall harm you.” And the speaking angel [Rabbi Yehiel] responded, “You cannot protect us – you or the people!”

The queen became angry at these words, and the queen said to him, “Do not speak again in such words, for it is our intention to protect you and all that is yours. All who do harm to you incur sin and iniquity. Thus we find in our books and from the pope.⁴³ Now, answer the statements of this gentile and do not refuse.”

The rabbi said, “Who will compel me to do this, to do harm to all Israel when I have not yet been called to justice before the pope?” The priests called out to the heretic [Donin], “Address him” [and to Rabbi Yehiel], “Answer. If not, we shall know what to do, and we shall see who will help you and who will save you.”

[The rabbi] spoke, “On your judgment I shall answer my part. But should I blunder, do not think me to represent the entire holy people.”

[The Aggadic Passages in the Talmud]

Then that insect, the heretic, the fool, rose up and laid out foolishness⁴⁴ and asked the wise one [Rabbi Yehiel], “Do you believe in these four?”⁴⁵

And the wondrous counselor⁴⁶ answered, “I believe in all of the laws and statutes written in them as explained to us through our teachings. This is the

39 From this comment some argue that Donin was a Karaite.

40 Midrash Tenaim on Deut 14; Zech 2:12.

41 See Num 32:13.

42 In Arab lands.

43 Gregory IX, the pontiff whom Nicholas Donin convinced to order the confiscation of the Talmud.

44 Prov 13:16.

45 This name “the four” refers to the Talmud itself, probably a reference to the fact that the Talmud expounds upon four of the six Orders of the Mishnah.

46 Is 9:5, 25:1; Yehiel addresses God in the language of Isaiah.

Talmud, and it is called the Talmud due to the scriptural verse, 'And you shall teach them to your children.'⁴⁷ And further, included in them (the four) are agaddic passages to arouse the emotions of a man to understand intricate rhetoric, as is 'to comprehend proverb and epigram.'⁴⁸ There is [also] matter [in the Talmud] to test the belief of the denier, the disbeliever, and the apostate. I have no need to reply to you about passages [in the Talmud] such as this. If you wish, believe them; if you do not wish, do not believe them. For there is no law derived from them. However, I know that the sages of the Talmud never wrote a worthless detail, only correct and truthful words that are lofty and wondrous to those who hear them. Indeed, there are many examples of this in Scripture, such as the speech of [Balaam's] ass,⁴⁹ Lot's wife who became a pillar of salt,⁵⁰ the war of Sisera wherein the stars did battle from their courses,⁵¹ the gourd of Jonah which in one night came to be and perished,⁵² and the tale of Elisha in which it is written, 'They cast [the corpse of] a man into the tomb of Elisha and he came to life and stood upon his feet,'⁵³ and many other stories like these.

[That the Talmud is Absolutely Necessary]

And great is that which harmonizes the texts of the Torah properly, lest a man become confused when he recognizes passages that contradict each other and thereby becomes a disruptor. About this it is said, 'I, the Eternal, am your God, instructing you for your own benefit,'⁵⁴ for the Holy One, praised be he, taught the Talmud to us in order to facilitate access to the mystery of the Torah and to make plain the circles of its paths. And you have evidence here: 'He will destroy death forever,'⁵⁵ and it is written, 'For one who dies at one hundred shall be reckoned a youth.'⁵⁶ It is written further, 'That I spoke with you from the very heavens,'⁵⁷ and it is also written 'And the Eternal came down upon Mt.

47 Deut 11:19. The word *lamad'tem*, the first word of the verse, contains the root of the word Talmud.

48 Prov 1:6.

49 Num 22:22–35.

50 Gen 19:23–26.

51 Judg 5:20.

52 Jonah 4:10.

53 2 Kgs 13:20–21.

54 Is 48:17.

55 Ibid., 25:8.

56 Ibid., 65:20.

57 Exod 20:19b.

Sinai.⁵⁸ And it is written ‘Who visits the guilt of the fathers etc.’⁵⁹ and it is written, ‘No Ammonite or Moabite shall be admitted to the congregation of the Lord,’⁶⁰ yet David who was the king of Israel was descended from Ruth the Moabitess, and the Eternal enthroned him over all Israel. One⁶¹ cannot enumerate the difficulties of the Scriptures, had it not been for the Talmud that discerned among them. Everything was given at Sinai by one Shepherd. Now if this pollutes and this purifies, this prohibits and this permits, [how would one know how to behave]? About this reality it is written, ‘after the majority to decide.’⁶² The law must be forever interpreted according to the majority.

Further, were it not for the Talmud, one would strive to study a single commandment and would not comprehend it. [For example,] the commandment concerning the Sabbath is found in five places: a little in this scripture, in that scripture, and before he could learn something from one, he would forget the other. But now, [because of the Talmud] all these commandments are collected together, and it is good and easy to study it [the Sabbath].

Further, the commandments are written in brevity and one cannot understand them without tradition, as it is written, ‘If a case is too baffling for you to decide, etc.’ until ‘which they tell you to do.’⁶³ In such a case God has transmitted this tradition to the sages. Further, ‘Ask your father and he will tell you, etc.’⁶⁴

For this reason did the sages set up a fence around the Torah and a buffer space, so that one should not touch it, such as in the case of second degree carnal prohibitions.⁶⁵ And the support for [these laws] is found in the passage ‘You shall keep my charge ...’⁶⁶ meaning ‘You shall place your own guardian [enact measures] before that which I guard.’⁶⁷ This resembles the fable of a man to whom they gave the keys to the interior doors but to the exterior door [keys] were not given him. How shall he enter?”

58 Exod 19:20.

59 Ibid., 20:5.

60 Deut 23:4.

61 Lit., “the mouth.”

62 Exod 23:2.

63 Deut 17:8–11.

64 Ibid., 32:7.

65 Those not explicitly listed in Lev 20.

66 Lev 18:30.

67 *Talmud Bavli*, Yevamot 21a.

[Will the Rabbi Swear?]

The heretic asked the rabbi to swear to him that he would answer truthfully and not deflect [the questions] with falsehoods. And the priests asserted that he should swear. The rabbi answered, “Woe unto me that I have come before you for justice, for the straight is made crooked.⁶⁸ You have sown injustice.⁶⁹ Is it within your right to force me to swear because of this cruel one and his slander? We do not find in the entire Scripture an oath compelled by judges except at the time when a creditor asks for payment,⁷⁰ as it is written, ‘An oath of the Lord shall decide between the two.’⁷¹ But in matters of the spirit there is no oath compelled by judges. And you have come to hear our testimony and to render judgment. But now, hereafter, I warn you not to sit in judgment, because you are seeking to judge me and will be judged.”

The queen [Blanche] responded, “I request that you swear.” He said, “My ruler, never have I taken an oath, and I shall not begin swearing now. Indeed, if I swear to all the statements that I make, he will call me a prevaricator and will say that I have transgressed my oath [about swearing]. I would be humiliated in the eyes of this priesthood. Indeed, it is written, ‘You shall not swear falsely by the Eternal, your God,’⁷² which means [taking an oath] where there is no need. Indeed, I will not hide from you that, while I shall tell the truth, what is a mystery to me is understood by others, for there are those greater than I by twice. I am the youngest of all of them, but they are not experienced in appearing before the clergy as am I.”

The queen spoke up, “Since this is such a difficult act for him, and as much as he has never taken a false oath, leave him be.”

[The Talmud is Absurd]

Then the donkey opened his mouth⁷³ and answered, “It is written in your Torah that someone who presents all of his seed to Molech is not guilty,⁷⁴ [but if he sacrifices only some, he is guilty,⁷⁵ as it says, ‘Some] of his seed⁷⁶ and not

68 Mic 3:9b.

69 Prov 22:8.

70 *Talmud Bavli*, Shevu’ot 41b.

71 Exod 22:10. The context concerns a business matter.

72 Ibid., 20:7.

73 Play on Num 22:28, “The Eternal opened the ass’s mouth.”

74 Molech, the name occurs in the Hebrew Bible for a deity associated with the sacrifice of children. See Lev 18:21 and 20:2–5.

75 *Talmud Bavli*, Sanhedrin 64b.

76 Lit., “seed.”

all of his seed.⁷⁷ At this and similar passages like it, every soul must be amazed. Who can believe that when he offered part [of his offspring] he was culpable, but when he sinned more greatly and presented them all, he was not liable?”

Here, the priests rose to laugh, and the queen was amazed. The rabbi spoke, “The day is coming when you will not laugh at this law; rather, you shall regret what you have done, if you are able. And now, I know your ways. You have sought out [materials] in order to discomfort me. Is it not good and right to listen to my words, prior to your mocking the Talmud?”

The rabbi spoke [further], “My ruler [the queen], hearken, please. Who sins more, the one who kills one man or the one who kills two?” Answered the queen, “The one who kills two, as well as the one who kills four [sins more] than the one who kills two.” The rabbi said, “You have spoken correctly, for behold four methods of execution are referred to in the Torah: stoning,⁷⁸ burning,⁷⁹ slaying by sword,⁸⁰ and strangulation, and all of them have been allotted to the court in order to execute the convicted. And all the condemned confess, for thus we have found in the case of Ashen, whom Joshua instructed, ‘My son, pay honor to the Lord, the God of Israel, and make confession to him ...’ through ‘The Lord will bring calamity upon you this day ...’⁸¹ meaning you are troubled this day, but you will not be troubled in the world to come.⁸² And it follows that when he presents some of his seed for sacrifice, he is culpable for stoning, confesses, and atones. But, when he presents all of his seed, so that his sin is inordinate, it is not within the authority of the rabbinic court to grant him atonement. Rather, he shall die in his sinfulness, and God, in whose hand is the fate of all souls, shall sentence him properly.”

77 Lev 18:21

78 The community threw stones at the convicted until he died (see Lev 24:23). Later rabbinic texts prescribe throwing the victim from a height. See “Capital Punishment,” in *The Oxford Dictionary of the Jewish Religion*, ed. Adele Berlin, 2nd ed. (Oxford, 2011), 159.

79 Jewish law required that only their ‘souls’ be burned. Maimonides tells us that molten lead was poured down the throat of the condemned so that the body not be entirely destroyed. See above, “Capital Punishment,” in *Oxford Dictionary of the Jewish Religion*, ed. Berlin, 159.

80 The preferred method of execution when another was not stipulated.

81 Josh 7:19–25.

82 *Talmud Bavli*, Sanhedrin 44b.

[Blasphemies against Jesus and Mary]

Next, the enemy opened his mouth and continued to ask, "This unprecedented people are blaspheming and deprecating the gods of the gentiles. You clergy, why do you allow them to remain among you? This is the people that speaks about the one you revere [Christ], saying, 'He is sentenced [to be placed] in boiling excrement.'" ⁸³ And he read from the end of [the chapter] *Hanizakin*, ⁸⁴ "Onkelos, son of Kalonimus, wished to become a proselyte. He raised Balaam through a necromancer. He said to him [the necromancer], 'What is the sentence of this man?' He responded, 'In boiling semen.'" He [Donin] said, "About whom was the question of this sentence asked?" The rabbi answered, "About Balaam it was asked. And do you know why 'In boiling semen?'" But he did not know. The rabbi said, "I'll tell you. It is because the people began to engage in sexual immorality at Shittim, as it is written, 'And the people dwelt, and the people profaned themselves by whoring with the Moabite women ...' ⁸⁵ according to the advice of Balaam. Therefore he was sentenced by the same measure, as it is written, 'With [commensurate] measure ...' ⁸⁶ with the measure that a man measures shall it be measured out to him." ⁸⁷

The apostate read [further], "After that he [Onkelos] raised [Jesus]. ⁸⁸ He said to him, 'What is the sentence of this man?'" [Queried Donin] "Concerning whom is this asked?" Answered the rabbi, "Concerning Jesus did he ask." [Continued Donin] "And what did he answer him?" "That he was sentenced to 'boiling excrement!'" He [Donin] said all this in the vernacular, in order to make us offensive.

Then the rabbi responded, "From the day that you [Donin] parted from us, now fifteen years ago, you have solicited libel against us, ⁸⁹ to accuse us with wicked slanders, but it will not be successful, for you have been trapped by the

83 See Peter Schäfer, *Jesus in the Talmud* (Princeton, 2007), Chap. 8.

84 This passage is found in *Talmud Bavli*, Gittin 57a at the end of *Seder Nashim*.

85 Num 25:1.

86 Is 27:8. Here the prophet explains that only by a punishment commensurate with Israel's sin shall it be purged. The word of uncertain meaning, IHH, is a pun on the word IHH, a measure of land.

87 *Talmud Bavli*, Sanhedrin 100a, attributed to Rabbi Meir.

88 In this passage from *Talmud Bavli*, Gittin 57a, the words *poshei yisrael*, "the sinners of Israel," have been substituted for *Yeshu HaNotzri*, Jesus of Nazareth. See Schäfer, *Jesus in the Talmud*, 173 n. 11. As late as the 16th century, publishers of most editions of the Talmud edited out or emended insults of Jesus, Mary, and Christianity in general.

89 Prov 6:2.

words of your own mouth.⁹⁰ Here I will answer you in your terms. Yes, this is in the text. I will not disavow it because of dread of you. But indeed, it is not about the god of the gentiles of whom we have spoken in this way, but about a different Jesus, who mocked the words of the sages and did not accept their [rabbinic] interpretation and accepted the Written Torah alone. And you should know that this is the case, for you see ‘Jesus of Nazareth’ is not written, but rather merely ‘Jesus.’ Further, if it did refer to him [Jesus of Nazareth], [that Jesus] did more than what is written here, [rejecting the interpretations of the sages]. [Jesus of Nazareth] incited and caused Israel to stray⁹¹ and made himself a god and repudiated the central doctrine [of the Torah, i.e. the belief in one God only]. Rather, it is evident that [this passage] refers to another [Jesus], who did not deny both the Written Torah and the Oral Torah and was [merely] called a heretic.”

The enemy answered, “You clergymen, consider this and realize how this people dwells⁹² in your midst, who spurn the one you hold in awe.” And he began to read to them [the passage in the chapter *Nigmar ha-Din*], “When Jesus came out to be stoned, the announcement preceded him by forty days saying, ‘Jesus of Nazareth goes forth to be stoned because he practices magic, incites and leads astray. Let any who have favorable knowledge come forth and testify favorably about him.’ Indeed they have called him a magician, an inciter and an insurgent.”⁹³

The rabbi responded, “Did they not stone him, and you absolved us of this in as much as we were not there? All the more so, you cannot render judgment upon us in regard to this passage, as it was written in their days. And it is certainly a wonder that, according to this tale, they stoned him and yet did not mention him frequently thereafter. And they did not refer to him at all in the Talmud, except briefly on the occasion of this incident; for they apparently had a vision through the holy spirit that you were destined to inquire and to examine us about this matter and for this reason they did not mention it again!”

The heretic replied, “Concerning what hanging victim did they speak, whom they referred to as ‘the son of a *sotah*?’ For thus it is written at the end of the chapter *Arbah mittot*,⁹⁴ ‘And so they did to the son of Stada in Lod; they

90 Ibn Ezra on Ps 37:33.

91 Deut 13:6. Refers to a passage regarding a false prophet who causes Israel to stray.

92 Jer 29:16.

93 *Hesronot HaShas*, Sanhedrin 43b.

94 *Ibid.*, 67a.

hanged him on the eve of Passover.' It was objected: 'The son of Stada? He was [the son of] Pandira.' It was explained: 'The partners of Stada [were as follows] – the cohabiter was Pandira; the husband was Papos ben Judah.' This says that his mother was Stada. But his mother was Miriam the dresser of women's hair,⁹⁵ as the men of [Pumbaditha] say, 'She deserted her husband and for this reason she was called a *sotah*.'⁹⁶

The bishops became very angry and called out, "Why have you spoken in this way about Miriam [i.e. Mary]? What did she do to you?" Replied the rabbi, "Why are you dismayed and why are you so angry? Who appointed you judge over me? Have you forgotten the scripture, 'You have plowed wickedness'?⁹⁷ And is it not written, 'Hear out your fellow man'?⁹⁸ And the verse, 'The first to plead his case seems right until the other party comes to examine him.'⁹⁹ You ought not to have listened to his speech in my absence when spiders' poison is on his lips.¹⁰⁰ Now, pay attention to my word. Know that you have spoken correctly, for we have nothing to say against her, for what is her sin and what is her transgression? And she was, after all, of our flesh and bone. Nothing in the Talmud or aggadah speaks against her. And that which he [Donin] cited concerned another [Miriam] entirely. And here is my proof for you. The events of Jesus your deity took place in Jerusalem, and his sepulcher is there to this day. This Miriam was from Lod. As it said before, 'Thus they did to ben Stada in Lod.' And Lod is amid the border region of the land of Israel.¹⁰¹ Furthermore, 'Thus did they do to Jesus of Nazareth' is not written there. Furthermore, the husband of Miriam, the mother of this Nazarene, was John her betrothed. And thus it is written in your Gospels. And in this case his name is Papos son of Judah. Furthermore, the Miriam of this name is the dresser of women's hair, but that Miriam died in the days of Rav Papa and Abaya,¹⁰² as is reported in the first chapter of Tractate Hagigah and that took place four hundred years after the

95 Mary Magdalene.

96 A woman suspected of adultery.

97 Hos 10:13, "You have plowed wickedness. You have reaped in iniquity. You shall eat the fruits of treachery, because you have relied on your way."

98 Deut 1:16, "Hear out your fellow man and decide justly between any man and a fellow Israelite."

99 Prov 18:17.

100 Ps 140:4b.

101 Jesus being an Israelite.

102 *Talmud Bavli*, Hagigah 4b. There the Angel of Death comes for Miriam of Magdala but takes another Mary by error.

incident of [the Christian] Jesus. For observe, the story of [the Christian] Jesus himself took place before the [destruction of] the Temple.¹⁰³

“In all cases, let the left hand push away while the right hand draws near.”¹⁰⁴ Not as Joshua the son of Peraiah, who pushed away Jesus with both hands. When King Yannai murdered our rabbis, Joshua the son of Peraiah was still in Alexandria in Egypt. [When the situation stabilized], Shimon the son of Shetah sent [this missive], ‘From the holy city of Jerusalem, to you Alexandria of Egypt. My sister! My husband resides in your precincts while I dwell in desolation!’ He [Joshua] arose, and lodged at a certain inn. They treated him magnificently. He commented, ‘How pleasant in this inn!’ He [Jesus] responded, ‘Her eyes are very narrow.’¹⁰⁵ Replied [Rabbi Joshua], ‘Evil one. Is it with this you are occupied?’ He sounded four hundred blasts of the shofar, and he excommunicated him. He [Jesus] returned to him several times and said, ‘Accept me; but he [Joshua] ignored him. One day he [Joshua] was reading the *Shema* and wanted to accept him back and gestured to him with his hand.¹⁰⁶ However, he [Jesus] thought he was rejecting him. He went and set up a brick¹⁰⁷ and worshipped it. He [Joshua] said, ‘Atone!’ He [Jesus] said, “Thus have I received it from the house of my father and from you, ‘Anyone who sins and causes others to sin is inadequate to atone.’”¹⁰⁸ Elsewhere it is said, ‘Jesus the Nazarene practiced magic, incited, and led others astray.’ But did he literally worship a brick? One might conclude that this brick was formed as a cross¹⁰⁹ in the manner of their practice.

Indeed, the truth is that this [Jesus] was not your deity, for this event took place in the time of Joshua son of Peraiah and the time of King Yannai and Shimon son of Shetah, who was the teacher of Judah ben Taba and of Shemaya and Avtaliyon. Our Rabbi Hillel the elder was the first of the patriarchs, the father of Rabbi Shimon the teacher of Yudan, the teacher of Gamaliel the

103 70 C.E.

104 2 Kgs 5:26.

105 Referring to the inn’s hostess and believing that she was the object of Rabbi Joshua’s compliment.

106 He could not interrupt his recitation of the *Shema*, the liturgical declaration of faith in one god found in Deut 6:4, so he signaled with his hand to wait. See Schäfer, *Jesus in the Talmud*, 156 n. 17.

107 Brick worship was practiced in Babylonia, Schäfer, *Jesus in the Talmud*, 37.

108 *Hesronot HaShas*, Sotah 46b.

109 The term *airev’ti v’sh’k* refers to the criss-cross pattern, the warp and woof, of a woven fabric with vertical and horizontal threads interweaving to constitute the fabric. Perhaps a brick in the form of a cross or with a cross engraved.

Elder,¹¹⁰ as it says in the first chapter of Tractate Shabbat, ‘Hillel and Shimon (the Elder), Gamaliel and Shimon (the younger) held their presidencies [of the Sanhedrin] during the [last] hundred years of the Temple.’¹¹¹ And Shimon the son of Shetah preceded them by two generations, that is, more than two hundred years, so that Shimon ben Shetah lived almost three hundred years [before the destruction of the Second Temple]. And 172 years after the destruction completes the year 4000. Thus, 1472 years later the fifth millennium occurs. Thus, there are 1472 years since this Jesus. But according to the gentile calendar,¹¹² the birth of Jesus occurred only 1240 years ago. And thus do they calculate in reckoning by the incarnation. Thus, the one [the Talmud’s Jesus] preceded their [the Christians’] Jesus by two hundred years. And theirs took place in the days of Queen Helene,¹¹³ while this one [the Talmud’s Jesus] occurred in the days of King Yannai. And the incident in [the chapter] *Nigmar ha-Din* involved this one [the early Jesus], who was eventually stoned, as indicated in *Nigmar ha-Din*; it was not their god. In the entire Talmud, he [the Christian Jesus] is not mentioned.

“Likewise, that which is said in [chapter] *Helek*: ‘... No disease will touch your tent.’¹¹⁴ This is to teach you that you should not have a son or student who disgraces himself in public, as did Jesus the Nazarene.¹¹⁵ This is referring to the one [Jesus] of Rabbi Joshua of Perahiah. And it may be that theirs [Jesus] was also from Nazareth and was named ‘Jesus’ just like the one of Rabbi Joshua of Perahiah.”

The clergymen responded, “Who can believe your words and the smooth speech¹¹⁶ of your statements, so that you appear innocent in your words and innocent in your sentence?¹¹⁷ In the torrents have you cut a channel,¹¹⁸ and you divide one drop into two¹¹⁹ saying, ‘There are two Jesuses, and the second

110 See *Pirke Avot*, 1:1 and Maimonides’ introduction to the Mishnah Torah.

111 *Talmud Bavli*, Shabbat 15a.

112 Lit., “counting or calculation.”

113 *The Toldoth Jeschu* cited in Robert E. Van Voorst, *Jesus Outside the New Testament: An Introduction to the Ancient Evidence* (Grand Rapids, MI, 2000), 125–128.

114 Ps 91:10.

115 *Hesronot HaShas*, Sanhedrin 103a. Lit., “who would boil a mixed dish in public.”

116 Ps 12:3.

117 Ibid., 51:6.

118 Job 38:25.

119 *Pirke Avot*, 3:1 refers to the human being as a “drop” because our lives begin as a “drop.”

was in boiling excrement. There were two Jesus the Nazarenes, and both practiced magic, incited and led others astray, and they were hanged on the eve of Passover.”

The rabbi answered, saying to the bitter gentile, “Not every Louis who is born in France is king of France! Is it not possible that two men were born in a certain city with the same name and that both died the same death? There are many cases like this in the land.”

Said the queen, “Why do you [Donin and the assembled clergy] make yourselves odious? See, it is to your own honor that he said that it does not mention your god sentenced to excrement. They did not speak of him thus, that he was sentenced to boil in excrement. But you seek to draw out your shame from his mouth. It is your shame that you draw out of his mouth.” The queen continued and said [to Rabbi Yehiel], “On your honor, are you telling the truth?”

The rabbi answered, “Yes! As I live and will return to my home, we have never deemed that he [Jesus] was sentenced to boiling excrement nor spoken of him in such words.”

[May Jews Annul their Oaths?]

The wayward and defiant one,¹²⁰ the wild young ass, continued and asked, “What is the meaning of *Bat Kol*?”

The rabbi responded, “This means the echo of a sound and not the sound itself, only the echo of a sound. From the time of Israel’s exile, prophecy ceased among us and they would employ instead the *Bat Kol*.”

The heretic responded, “People, please hearken to my statement regarding these foolish folk¹²¹ my words [about those] who speak words of mockery.” He read before them the passage from Bava Batra.¹²² “Rabbi bar Bar Hanna, while travelling on the way, heard a *Bat Kol* that said, ‘Woe is me that I have taken an oath, and now that I have so sworn, who shall release me from the oath?’ When he reported this to the rabbis, they said to him, ‘Every Abba¹²³ is a donkey driver and every Hanna¹²⁴ is a fool!’ You were obliged to say, ‘You are released, you are released!’”¹²⁵ “Who can gaze at you, at these words saying that the Lord regrets that he swore an oath? And they shamed Rabbah that he did not say

120 E.g. Deut 21:18; Jer 5:23; Ps 78:8.

121 Jer 4:22.

122 *Talmud Bavli*, Bava Batra 73b–74a.

123 Play on the name of Abba bar Bar Hanna.

124 Play on the name of Abba bar Bar Hanna.

125 *Mufar l’cha*, the formulaic release from obligation.

‘You are released!’ This is their [the Jews’] way, their foolishness, that they say that everyone who vows or swears may have his friend render his oath invalid. Each and every year on Yom Kippur they resolve to expunge the vows and oaths that gentiles have extracted and for this reason they do not fulfill a vow or oath to a gentile. Furthermore, it is found in Tractate Nedarim, ‘One who wishes not to uphold his vows shall stand on the Day of Atonement and recite *Kol Nidre*¹²⁶ etc.’ And it declares that three ordinary men may expunge a vow. In this way, they do not fulfill a vow or oath to any gentile. This is a people unlike any other, for they have no integrity.”

God then placed a spirit within the faithful messenger¹²⁷ to answer heretics with convincing words for those who comprehend. The rabbi answered and said, “Woe to you for you have gathered vanity and have erred in lies and falsehoods. You have despised the truth, you send forth your mouth for evil,¹²⁸ and the utterance of your lips is deception. Now, I will respond to you with clear responses and fully answer your questions. You began these words of yours with wonder that the Lord regretted his oath. But Scripture is replete with [examples of] this, ‘And the Lord regretted [that he had made man on the earth],’¹²⁹ ‘I regret that I made Saul king ...’¹³⁰ And thus about the oath concerning the flood, ‘For this [to me is like] the waters of Noah. As I swore that the waters of Noah [would never more flood the earth],’¹³¹ ‘This is the covenant between the Lord and living souls,’¹³² and further, ‘When I bring the clouds¹³³ [over the earth and the bow appears in the clouds] as a sign and reminder of my oath’ [that he will not bring another flood]. And its plain meaning is that the Lord gave a sign and a reminder of the oath, so that he would not recant it. Now we are in exile and you rule over us, and no one brings meal offering or sacrifice before him in the House of his Shehina [God’s immanent presence] where all the nations gathered and prayed, as it is said in the prayer of Solomon, ‘Or if a foreigner [... comes to pray toward your house]’ until the passage ‘Thus all the people of the world shall know your name and [revere you].’¹³⁴ Why should he

126 *Talmud Bavli*, Nedarim 23.

127 Prov 25:13.

128 Ps 50:19.

129 Gen 6:6.

130 1 Sam 15:11.

131 Is 54:9.

132 Gen 9:12.

133 *Ibid.*, 9:14.

134 1 Kgs 8:41–43. From Solomon’s prayer dedicating the Temple in Jerusalem.

not regret this?! For you know that no one is answered there [i.e. at the Temple court, which was in ruins] now – [when threatened] either by sword or by hunger,¹³⁵ as was true when he was there.

“About that which you strained to ask, how a mortal being may abjure the oath of the Lord, this is what the *Bat Kol* said, ‘Who will annul me,’ which is to say, ‘Who is able to annul me [my oath]?’ None, until the end time.¹³⁶ And for what they [the rabbis] said to him [Rav Abba bar Bar Hanna], ‘You should have said, “You are released.”’ For that oath was [taken by the Lord] in anger and wrath, as it says in Jeremiah, ‘See, I will gather them from all the lands to which I have banished them in my anger and wrath and in great rage and return them to this place.’¹³⁷ And since he swore in anger to exile us, he swore only on the condition that, if one should come in a future generation and annul the oath at the moment of a *Bat Kol*, it would be annulled [and the time of redemption would occur]. Therefore they shamed him for not annulling [the vow].

“With regard to what you asked wickedly about *Kol Nidre*, go to the end [of the text]: ‘To all the community of Israel pardon will be granted as the entire people has sinned erroneously.’¹³⁸ We do not grant release from vows except those [sworn] unwittingly, that a man is not caused to stumble in his oath or vow due to error. And as you note that three ordinary men may annul vows and oaths, these include only those oaths assumed by the individual upon himself and that do not affect any other person. Vows, however, between a man and his fellow, no one may annul, except with the assent of his fellow.¹³⁹ Proof of this comes from the incident in which King Zedekiah was punished, he and his sons, as it says, ‘Then the eyes of Zedekiah were put out,¹⁴⁰ and they took the sons of Zedekiah and slaughtered them¹⁴¹ ... at Riblah.’ He was only punished because he breached the oath that he swore to the king,¹⁴² without the king knowing.¹⁴³ And it says further, ‘You must fulfill what has crossed your lips and perform what you have voluntarily vowed.’¹⁴⁴

135 From *U’Netana Tokef* in the liturgy for Rosh HaShanah and Yom Kippur.

136 *Kaitz*, “the end time”

137 Jer 32:37.

138 From text of the Yom Kippur liturgy.

139 See *Talmud Bavli*, Nedarim 21b for discussion regarding nullification of vows.

140 Jer 52:11; 2 Kgs.

141 Jer 52:10.

142 2 Chr 36:13.

143 *Talmud Bavli*, Nedarim 65a.

144 Deut 23:23.

“On the subject of vows, they [the rabbis] cautioned us even more than other nations, for even if an individual [Jew] swears to injure himself, he is obligated to fulfill the oath. And if he fails to fulfill it he must bring a sacrifice, as it says, ‘When a person utters an oath to bad or good purpose ...’¹⁴⁵ whether he has sworn to injure or to improve himself. And it is written further, in regard to the Gibeonites, ‘The Israelites did not attack them, since the chieftains of the community had sworn to them [by the Lord] ...’¹⁴⁶ even though they deceived them saying, ‘We have come from a distant land’¹⁴⁷ and they had not come from there. In spite of this, they did not break their oath without the Gibeonites’ assent.”

[Talmudic Absurdities]

Yet once more the prickling thorn raised a question,¹⁴⁸ coming tunneling (like a thief), and laid out foolishness. He said, “Who is the overseer, and who allowed the moon speech as you declare in Hullin¹⁴⁹ in the chapter *Gid Hanashe*,¹⁵⁰ ‘The moon said to God, “Master of the Universe, it is not seemly for two kings to wear one crown.”’¹⁵¹ He said to her, “Go and make yourself smaller!” She responded to him, “Master of the Universe, just because I have suggested to you something proper, shall I diminish myself!” And so forth, until it concludes, he saw that she was not assuaged. The Holy One, praised be he, said, “Bring an atonement offering on my behalf because I have diminished the moon.”” The heretic scorned this passage and he called out to the priests, “Could there be another people like this, in whose Torah it is written that their God sinned and commanded [them] to bring an offering to atone for him, for his sin? Should not anyone who hears this laugh?”

And Lemuel,¹⁵² our Rabbi Yehiel, the delegate of Israel, answered, “The first of your words are foolish, wicked jests, silly, and make no sense.¹⁵³ You are shocked that the moon has spoken. Then who bestowed speech and song to the

145 Lev 5:4.

146 Josh 9:18.

147 Ibid., 9:9.

148 Ezek 28:24.

149 *Talmud Bavli*, Hullin 60b. The moon objects that she and sun are the same size.

150 Lit., “the sinew of the thigh.” The passage appears in chapter 3, however, *Elu Trefot*, “These are the unclean.”

151 See Gen 1:17 on which the Talmud bases this midrash.

152 Lemuel, in Prov 31:1–9, is identified by the rabbis with Solomon, who is credited with parts of Proverbs.

153 Lit., “fragrance.”

trees of the forest, who shout in the court of King David, as it is written, ‘Then the trees of the forest shout for joy ...’¹⁵⁴ Did you laugh at this to your friends, did you mock it? Are there not many other [passages] like these in Scripture? Is it not written, ‘The heavens declare [the glory of God]’?¹⁵⁵ And it is written, ‘Praise him, O sun and moon.’¹⁵⁶ Furthermore, all of the prophets say that the hosts of heaven are living beings.

“As to what you wickedly said with regard to the Holy One, praised be he, commanding, ‘Bring an atonement offering on my behalf ...’¹⁵⁷ you have distorted the truth and you did not understand the truth of the matter. After it is written in the text, ‘God made the two great lights,’ it is written next, ‘the greater light and the lesser light.’¹⁵⁸ Now you must pay attention: why was [the moon] decreased? In what way could this light have sinned, that [God] decreased her because of this sin? After all, the human being had not yet been created to accuse man of bowing down to her [the moon] and therefore having her decreased! Rather, she was certainly decreased because of slander. As it says, ‘Evil cannot abide with you ... [you doom those who speak lies]’¹⁵⁹ ... he who speaks untruth shall not stand before my [his] eyes.’¹⁶⁰ There is no one so loathed and detested before God as the slanderer, as it says, ‘He who slanders [his friend in secret will I destroy]’¹⁶¹ ending ‘The haughty ... man, I cannot abide him.’ Read not, ‘abide him,’ but ‘abide with him.’¹⁶² And it is written, ‘[Cursed be] he who strikes down his fellow countryman in secret ...’¹⁶³ Because she [the moon] denounced her companion, God decreased her size in the same manner as the punishment of the slanderer, ‘You shall do to him as he schemed [to do to his fellow].’¹⁶⁴ She denounced [the sun] in polite language, out of respect for God’s honor, for it would not be fitting to say that you [God] cannot have two suns different from one another.

154 Ps 96:12.

155 Ibid., 19:2.

156 Ibid., 148:3.

157 *Talmud Bavli*, Hullin 60b.

158 Gen 1:16.

159 Ps 5:5–7.

160 Ibid., 101:7. The author changes the biblical text from “my eyes” to “his eyes.”

161 Ibid., 101:5. The author applies this verse, no doubt, to Donin himself to discredit Donin’s project against Jews.

162 Thus, perhaps, justifying Donin’s earlier excommunication.

163 Deut 27:24.

164 Ibid., 19:19.

“After she was diminished and was ashamed of her sin, the Holy One, praised be he, came to appease her in order to set an example¹⁶⁵ for penitents to willingly return to God.¹⁶⁶ Therefore, the sages wrote this to say that in every case, a man must repent and God will accept him, as it is written, ‘I do not desire that the wicked person should die; let him leave his evil way and live.’¹⁶⁷ And because God desires to make his wish for repentance known to us, he said, ‘Bring an atonement offering on my behalf,’¹⁶⁸ a sacrifice of appeasement – ‘sacrifice’ is a term for appeasement (as in ‘I shall appease him’)¹⁶⁹ – for decreasing the illumination of the moon. Since it says with regard to the first day of the month, that the moon is small as a thread, it [the Torah] specifies ‘one he-goat as a sin-offering for the Lord, etc.,’¹⁷⁰ that is to appease her [the moon], [meaning] that God appeased the moon regarding her decreased illumination. This is a call to repentance to make known and to clarify that he desires the repentance of evildoers. This is also why it is not written about the sacrifice of the new month that it is to make atonement for you [the people of Israel]. For it is designated as a festival only for God. One [first] day [of the month] per year is assigned as a festival [for Israel]. That is Rosh HaShanah, which is the first day of the month also. And it is established to teach you that, if evil doers will repent, their repentance will be accepted as that of the moon, which decreased her illumination on that day to set an example in order that they might repent.”

[That Jews are Hostile toward and a Danger to Gentiles]

And once again, he [Donin] raised his voice and said, “You are foolish folk,¹⁷¹ since you permit the spilling of gentile blood.¹⁷² And who brought you to that which you say, ‘The best of the gentiles shall you kill.’¹⁷³ And you say, ‘Gentiles and shepherds of small cattle, [we do not] throw them into a pit nor [do we] rescue them from a pit.’¹⁷⁴ Even when drowning in the pit, you are

165 Lit., “give an opening of the mouth.”

166 A subtle message to Donin.

167 Cf. Ezek 18:23.

168 *Talmud Bavli*, Hullin 60b.

169 Gen 32:21.

170 Num 28:15.

171 Jer 4:22.

172 Deut 12:23–25 and Ibn Ezra on Gen 9.

173 *Hesronot HaShas*, Avodah Zarah, *Tosafot* 26b.

174 *Talmud Bavli*, Sanhedrin 57a and Avodah Zarah 24b.

not obligated to bring him up. Has there been anything like this since antiquity? You also say, 'If in a courtyard there are nine gentiles and one Israelite among them and someone throws a stone through the roof and kills the Jew, he is exempt, because the gentiles predominate and it is possible to say that the Jew was not the intended [victim], but a gentile [was].'¹⁷⁵ And you have taught in Tractate Ketubbot, Chapter 2, 'And he lies in wait for him and sets upon him,'¹⁷⁶ except to throw a stone at a gentile. How is that? If we say, 'when there are nine gentiles and one Israelite.' It is enough that the majority is gentile.¹⁷⁷ Your rabbis also said, in *Arbah mittot*¹⁷⁸ regarding spilling of blood, 'In the matter of a gentile killing another gentile or an Israelite, he [the manslayer] is culpable. [In the matter of an] Israelite killing a gentile, [the manslayer] is exempt.'¹⁷⁹ And you say, 'A gentile who observes Shabbat is culpable for death'¹⁸⁰ and so too, a gentile who engages in Torah study is culpable for death.¹⁸¹ And you say that a gentile may be put to death [on the testimony of] one witness and without forewarning, and it is permissible to rob and steal the funds of the gentile and to mislead him. [The Talmud] explains this: '... he beheld and made the nations tremble,'¹⁸² meaning that God beheld the seven commandments [of the children of Noah],¹⁸³ which the children of Noah¹⁸⁴ accepted but did not fulfill. He [God, therefore] rose up and permitted Israel [to appropriate their] wealth.¹⁸⁵ The Talmud explains, 'Where an ox belonging to an Israelite gores an ox belonging to a non-Israelite,¹⁸⁶ he is not liable. [Whereas, where an ox belonging] to a non-Israelite gores an ox belonging to an Israelite, whether [the

175 *Talmud Bavli*, Ketubbot 15a; *Hesronot HaShas*, Sanhedrin 79a.

176 Deut 19:11.

177 *Talmud Bavli*, Ketubbot 15a; *Hesronot HaShas*, Sanhedrin 79a.

178 *Talmud Bavli*, Sanhedrin 7.

179 Ibid., 57a. The text was censored from the use of the "goy" or gentile to the word "Cuthean," meaning Samaritan.

180 *Talmud Bavli*, Sanhedrin 58b.

181 Ibid., 59a.

182 Hab 3:6.

183 *Talmud Bavli*, Bava Qamma 38a; Maimonides, *Mishnah Torah*, Shoftim, the Law of Kgs 8:14.

184 A rabbinic expression for all humanity.

185 *Talmud Bavli*, Bava Qamma 38a.

186 See Marcus Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* (New York, 1950), 912: "In the editions published under the censor's supervision, our word is frequently changed" In modern texts, the anachronistic use of "Canaanite" belies the hand of the censor.

ox that did the damage is] otherwise blameless or liable, he [the gentile owner] must pay the full fine.¹⁸⁷

“There is also: ‘Gentiles who eat insects and reptiles and pollute their bodies, and we are as despised among them as grasshoppers¹⁸⁸ and flies.’¹⁸⁹ You also say, ‘When a gentile touches wine, it [the wine] is prohibited, even if [the gentile] is an infant of one day old.’¹⁹⁰ And you say,¹⁹¹ ‘All scoffing¹⁹² is prohibited except for ridiculing idolatry,¹⁹³ which is permitted, as it is written, “Bel is bowed, Nebo is cowering ... they cowered, they bowed down as well, and they could not deliver the burden.”’¹⁹⁴ And it is written, ‘The inhabitants of Samaria tremble for the calf of Bet-Aven, its people mourn for it while its priests [those of the idol] shall wail over it, over its glory [*kevodo*] which has departed [from it].’¹⁹⁵ Read not ‘its glory’ [*kovdo*] but instead read ‘its burden’ [*kavdo*].¹⁹⁶ This is its interpretation: ‘Make a joyful sound you who make it burdensome [*hamachvedo*, from the root *k-v-d*], it is permissible for you to shame and reproach idolatry.’ You also teach, ‘Do not place cattle in the inn of gentiles, as they are suspected of immoral behavior [with them].’¹⁹⁷ ‘And a [Israelite] woman should not be alone with them (gentiles) because they are suspected of immoral behavior.’¹⁹⁸ ‘And a man [should not be alone with them] for they are suspected of bloodshed.’¹⁹⁹ ‘An [Israelite] woman should not act as midwife for a non-Israelite woman and not nurse her son, as she would be raising a child of idolatry.’²⁰⁰ And you say, ‘It is forbidden to give a free gift to a gentile because of the [statement in Deuteronomy], “You shall not show them grace.”’²⁰¹ Thus,

187 *Talmud Bavli*, Bava Qamma 37b.

188 Num 14:33.

189 Source unknown.

190 *Talmud Bavli*, Avodah Zarah 57a.

191 *Talmud Bavli*, Megillah 25b.

192 The Talmud may refer here to obscenity.

193 Donin assumes that idolatry includes or is a code word for Christianity.

194 Is 46:1, reference to constipation.

195 Hos 10:5.

196 The context of this passage in *Talmud Bavli*, Bava Metzi'a 25b implies that *kavdo*, “burden,” is being read as “excrement.” Thus the priests wail (*yagilu*), or perhaps rejoice, over the idol’s bowel movement.

197 *Talmud Bavli*, Avodah Zarah 22a.

198 Ibid.

199 Ibid.

200 Ibid., 26a.

201 Deut 7:2.

it is forbidden to say to a gentile ‘How handsome is this gentile,’ as it says, ‘You shall not show them grace,’ meaning that you shall not ascribe to them ‘attractiveness.’²⁰² Regarding the matter of a lost article, you say that it is prohibited to return it to its gentile owner because [it says that encouragement of gentiles will lead] ‘to the utter ruin of moist and dry alike [i.e. of everything by encouraging gentile misbelief].’²⁰³ This is *Hena* and *Ivvah*!²⁰⁴

“And now, I will reveal your disgrace²⁰⁵ and from your hand will I require reckoning for our blood.²⁰⁶ It is well for you to plow with an ox and ass together²⁰⁷ or to plow with all these words. As you intended to do to us, thus it is just to do to you. And who will save you from your own words? Just how shall you be rescued?”

The man of God wrapped his face in his cloak, and the spirit of God shone in him. And he said to the apostate, “Your multitude of words does not diminish your sin. Now, [regarding your misinterpretations] I shall address them from first to last, and in your snares shall you be ensnared. You shall have no offspring [that is to say, you shall produce no results].

“First, you opened your mouth like a deafening east wind about the meaning of ‘Kill the best of the gentiles.’²⁰⁸ Do you know where it appears and from which books it is taken?” And he said, “I do not. But Rashi was a great scholar and an expert. And you trust him more than Moses, your rabbi.”²⁰⁹ The rabbi said, “Why did you open your mouth widely about something unfamiliar? Do you know the meaning of the term *goyim* [gentiles]? This term may be used for

202 *Talmud Bavli*, Avodah Zarah 20a.

203 Deut 29:18 quoted in *Talmud Bavli*, Sanhedrin 76b. The text disapproves of the association occasioned by returning the lost article.

204 See 2 Kgs 18:34. Names of false gods who make promises for salvation but cannot keep them. Thus the Talmud’s promise of “utter ruin” for dealing with gentiles is also false.

205 Hos 2:12.

206 Gen 9:5.

207 Deut 22:10.

208 *Hesronot HaShas*, Avodah Zarah, *Tosafot*, 26b.

209 It appears that Donin accused the Jews of abandoning the Bible for the Talmud and thus Moses for the rabbis. Basing itself upon Augustine, the Church tolerated Jews in part because of their veneration for the Bible. If Donin’s charge were true, medieval Jewry, now discarding the scripture for the Talmud, would become more vulnerable. At stake in this trial, as Donin implies, is more than whether Louis IX will burn all the Talmuds in France. Also in question is whether he and other European lords must continue to refrain from harming or exiling their Jewish communities.

either the good or the wicked. For the good, it says, 'Praise the Lord all *goyim*;²¹⁰ and for the wicked, where it says 'All the *goyim* that ignore God.'²¹¹

"Now, I shall clarify your sin, and I shall tell you the truth. Look, it is written in Tractate Soferim in Chapter 16, and there you will find it. It is written, 'In war you should kill the best of the *goyim*.' And the law permits this, based on Scripture, where it is written that he [Egypt] took 'every chariot horse'²¹² for the war of Pharaoh. Where did these horses come from? Did not every horse in Egypt die in the [plague of] hail? No livestock survived.²¹³ Only among those who feared the word of the Lord, who brought their livestock into the houses, [did the horses survive]. But they gave their horses to Pharaoh to do battle against Israel. For this reason, Rabbi Shimon said, 'In a war, you should kill the best of the *goyim*.' For there is no man so proper and faithful who goes to do battle with you, who does not come to kill you. And if he has come to kill you, 'rise early to kill him' [first].²¹⁴ [This is true] even if he [the assailant] is an Israelite, as it says, 'If a thief be seized when breaking in [to your house] [and he is beaten to death,] there is no bloodguilt.'²¹⁵ For it is permissible to kill him.

"But if you come to do battle with him, call on him to make peace.²¹⁶ And so we find in the case of the seven [heathen] nations, 'When you approach [a town to attack it], you shall offer it terms of peace.'²¹⁷ This demonstrates to you that even at the time that you go to do battle with them [non-Israelites], it is forbidden to kill them first; even in the case of the seven nations, about whom it is said, 'You shall not let a soul remain alive,'²¹⁸ you must call out to them first to make peace. How much more so when it is not a time of war. With regard to the people among whom we [now] live, who guard over us to protect our lives, do we very much hold fast to the serious prohibition against harming them, even a hair's breadth, on either their person or their possessions. And regarding the shedding of blood, we are admonished more than any other people, as it is written, 'You shall not murder,'²¹⁹ not distinguishing between [vic-

210 Ps 117:1.

211 Ibid., 9:18.

212 Exod 14:9.

213 Ibid., 9:25.

214 *Talmud Bavli*, Berakhot 9.

215 Exod 22:1.

216 Deut 20:10.

217 Ibid.

218 Ibid., 20:16.

219 Exod 20:13.

tims who are] Israelite [and those of] other nations. Furthermore, [the prohibition against] bloodshed is mentioned and instructed between each one of us.²²⁰ It is said and revealed that both we and you are admonished against this.

“In the matter of nine gentiles and one Israelite among them [in a courtyard],²²¹ that one [who heaves a stone into the courtyard killing the Israelite] is exempt; this assumes that [these gentiles] are from the seven [Canaanite] nations²²² that made peace [with the Israelites in the time of Joshua] and became tributaries like the Gibeonites;²²³ and even in this case he is not culpable. But this is prohibited to do, and he is punished. In the normal course of things, he is guilty.

“Likewise with respect to what is said, ‘an Israelite [killing] a gentile is exempt’ and to robbery of a gentile that it is permissible and about the lost object of a gentile and about a gift to a gentile, adopt this general rule, that every mention of ‘gentile’ in the Talmud is one of the seven nations that made peace as a tributary. In spite of this we declare that it is prohibited to bewilder him [a gentile] with subtle arguments,²²⁴ as it says, ‘They shall compute with the purchaser [from the year when they sold themselves],’²²⁵ and even when we have power over them. We are further taught to ‘support the poor of the gentiles the same as the poor of Israel.’²²⁶ Furthermore, a man is obligated to greet gentiles politely first.²²⁷ And we are taught in the chapter *Hanizakin*²²⁸ that assistance may be given to gentiles on the Sabbatical year and its explanation is we greet them politely to give assistance. It is further taught that ‘We visit the sick of the gentiles along with the sick of Israel and we bury the dead of the gentiles along with the dead of Israel. And we do not impede the poor of the gentiles from gleaning, [collecting the] forgotten [sheaves, or harvesting the] corners [of the fields].’²²⁹ And Rabbi Yohanan rose up before an elderly Aramean in his honor.²³⁰

220 Lit., “between each other.”

221 See above note 177. Also parallel text, which reverses the ratio in Bava Qamma 44b.

222 Deut 7:1.

223 Josh 9.

224 Lit., “to come at him circuitously.”

225 Lev 25:50.

226 *Talmud Bavli*, Gittin 61a.

227 Ibid.

228 The fifth chapter of Tractate Gittin.

229 Lev 23:22.

230 *Talmud Bavli*, Qiddushin 33a.

“And further, I shall prove to you that every mention of ‘gentile’ does not refer to their [Christian] custom. For you know that we observe that Torah with all our souls. How many of us have been stoned and burned and drowned and murdered and strangled for its [the Torah’s] sake? Yet all that is forbidden in the case of gentiles, we do [permit ourselves to] do among these [Christian] gentiles. For we are taught, ‘For three days preceding the holidays of gentiles it is forbidden to engage in trade with them.’ Go out now into the Jewish street and see how many [do business] even on the very holiday.²³¹ And further, we are taught, ‘Do not board cattle in the barns of gentiles; yet every day we sell cattle to gentiles and make partnerships with them and are alone with them and entrust our infants to their households for nursing and teach Torah to gentiles, for see, there are [Christian] clerics who know how to read a Jewish book.

“Furthermore, how could you be suspected of sodomy? Is it not true that you have no ruling or law regarding that matter, wherein you punish the sodomized and kill his companion? Rather, these [gentiles] were the Egyptians, who practiced incest and sodomy as it is written [in the Talmud] *Parashat Arayot*, ‘You shall not have sexual relations with any animal and defile yourself.’²³² And it is written, ‘You shall not do as they do in the land of Egypt,’ which you came out of, and ‘you shall not do as they do in the land of Canaan,’ to which you are coming. Thus we see that the Egyptians and the Canaanites practiced incest and sodomy, but not you, for there is not among all the gentiles men who are not married.

“About that which you cited, ‘All [obscene] scoffing [is prohibited except for ridiculing idolatry, which is permitted.]’ This refers to the manner of disgraceful worship such as in the case of Peor²³³ and Mercury,²³⁴ while within the same [class of] idolatry I include Nebo²³⁵ and Bet-Aven²³⁶ as it is written next, ‘Nebo stoops ... they bow down together.’²³⁷ And also the (worship of the) calves of Bet-Aven about which we read of its ‘honor.’²³⁸ But ridicule of faiths other than these is forever prohibited, because it is not recorded in The Book.

231 *Talmud Bavli*, Avodah Zarah 2a.

232 Lev 18:23.

233 Num 25:3.

234 Roman divinity, *Talmud Bavli*, Bava Metzi’a 25b.

235 Babylonian god. Son of Marduk. *Harper Collins Study Bible: New Revised Standard Version*, ed. Harold W. Attridge (San Francisco, 2006), 972 n. 46.1.

236 Possibly a substitute name for Bet El, the shrine location in Israel derided in Hos 10:5.

237 Is 46:2.

238 Hos 10:5.

“And they said²³⁹ that ‘All know why [the bride] goes under the wedding canopy, but anyone who even speaks [about this] in a disgraceful manner will bring upon himself a judgment of seventy years of goodness turned to seventy years of evil.’²⁴⁰ And it says, ‘For the sin of obscene speech, plagues proliferate.’²⁴¹ Now, woe be to you [Donin] and punishment, for you sought to harm us in speaking these words.”

[The Suffering of Jews Betokens their Abandonment by God]

The fool answered, “Did not many thousands of you fall by the sword in Brittany and Anjou and Poitou? If you are a treasured people, as you have said, where are the signs and wonders which your God performed for you?”

The rabbi answered, “[This is explained in Scripture,] as it says, ‘I will bring the sword against you, executing vengeance ...’²⁴² Everything is clarified in Scripture. But in the period of the end time, he will perform great wonders, as on the day of our coming out of Egypt, as it says, ‘As in the days when you came out of the land of Egypt, I will show him wondrous things,’²⁴³ at the end [of the prophecies of] Micah of Moreset.”

[Does the Talmud Demean Gentiles?]

The evil one, laden with sin, asked, “Here it is written in your Torah that your cattle are more beloved [sexually] to us than our wives, as Rabbi Yohanan said, ‘When the serpent copulated with Eve he infused her with contamination. The contamination of the Israelites who stood at Sinai came to an end.’ Did [the contamination of the] gentiles who did not stand at Mt. Sinai [also] cease?”²⁴⁴

Answered the rabbi, “This refers to none other than the same gentiles of whom I spoke to you: the Canaanites and Egyptians who behaved lewdly and did not stand at Mt. Sinai and did not accept the Torah. But as for you, who accepted the Torah, and your god, who did not come in order to destroy our Torah²⁴⁵ and did not add or subtract from it,²⁴⁶ according to your own words,

²³⁹ The rabbis of the Talmud.

²⁴⁰ *Talmud Bavli*, Shabbat 33a.

²⁴¹ *Ibid.*

²⁴² Lev 26:25.

²⁴³ Mic 7:15.

²⁴⁴ The text puts a question mark at the end of Donin’s sentence, yielding a somewhat sarcastic interrogative. See *Talmud Bavli*, Yevamot 103b.

²⁴⁵ Matt 5:17.

²⁴⁶ Deut 13:1.

your contamination has departed from you, and the sages of the Talmud were not speaking of you.”

[A Jewish Prayer Cursing Christians?]

Answered the enemy saying, “Look here, you have fixed [in your worship] a daily prayer of bitterness, and with this malediction you curse the entire [Christian] people – ‘each man with his standard under the banner [of their] respective houses’²⁴⁷ – against the apostates, the clerics, and the entire remainder of the people. And he read out before them the prayer [that begins] ‘Let there be no hope [for the *meshumadim*].’²⁴⁸ These are the deniers who came under the shadow of the gentiles. ‘And all the *minim*, may they be destroyed instantly’;²⁴⁹ these are the priests who are the students of Jesus the Nazarene. And thus did Rashi explain this: ‘The apostates and their tradition’ refers to the students of the Nazarene. And the ‘kingdom of arrogance [may it] quickly be uprooted ...’²⁵⁰ refers to the king and all the people. For you designate the present kingdom the evil kingdom, the guilty kingdom.

“And you say further, that ‘they are sentenced to Gehinnom [purgatory or hell]: And while Gehinnom may be annihilated, they shall never be annihilated [being sentenced to suffer without end], as it is taught in the first chapter of [Tractate] Rosh HaShanah,²⁵¹ ‘The sinners of Israel who sin with their bodies and the sinners of the gentiles who sin with their bodies go down to Gehinnom and remain in Gehinnom for twelve months. After twelve months their bodies are entirely annihilated and their souls are burned and a wind scatters them and they become dust beneath the feet of the righteous.’ But the *minim* such as the students of Jesus – these being the priests – and the *meshumadim* – these being the deniers of their true faith who came to the faith of the gentiles and who ‘rejected the Torah,’²⁵² – shall go down to Gehinnom and shall not ever emerge and are sentenced forever and ever. Gehinnom shall be annihilated, but

247 Num 2:2, “You have cursed every kind of gentile.”

248 Also used in the sense of “informant” and thus is applied ironically to Donin. The prayer, ascribed to Samuel HaKatan (*Talmud Bavli*, Berakhot 28b), condemns both separatists within the Jewish people and persecutors of Jews among the gentiles. Today’s version of the prayer is the result of censorship during the Middle Ages.

249 Ibid.

250 Ibid.

251 Here the Talmud refers to temporal corruption and worldly sins.

252 *Talmud Bavli*, Rosh HaShanah 17a.

they shall not be annihilated, [thus suffering without end]. And the explanation²⁵³ says about those who do not sin with their bodies, the fire of Gehinnom does not rule them, [which is demonstrated by] *a fortiori* reasoning regarding the golden altar [the incense altar in the Temple holy precinct], [the golden patina of which endured the fires of the sacrifices. Thus, how much more will the transgressors of Israel who are full of good deeds be protected from the flames of Gehinnom], which is found toward the end of Tractate Tamid.²⁵⁴

“Was there ever a people like this? They curse the gentiles and the priests and, with all their might, portray them detestably.”

And the Lord was with the rabbi, our Rabbi Yehiel, for the sake of his people Israel. And he placed in his mouth words, and from him came the response, as he answered according to his [the Lord’s] words.

He [Rabbi Yehiel] answered, “The first of your words, concerning the curse of the *meshumadim*,²⁵⁵ you have sown wickedly and you have not sought the good. ‘Let there be no hope’²⁵⁶ means ‘Let there be no hope’ for them²⁵⁷ in their [new] faith, so that they not settle into their position and thus not return to their previous belief.

“And *minim* does not refer to the students of Jesus, but instead to those who believe in the Torah of Sinai, but not in the Talmud.”²⁵⁸

And the oppressor answered, “Did not Rashi, your greatest rabbi, explain that these were the students of Jesus the Nazarene²⁵⁹ in Tractate Rosh HaShanah, Chapter 2, that is, the heretics, the traitors, and the apostates that I have mentioned?”

And the rabbi answered, “Is it because everything that Rashi explained is fixed and established? Do you not know that Rabbeinu Tam²⁶⁰ and Rabbi Isaac [of Dampierre] and the most brilliant rabbis criticized him often and refuted his opinions in many places? However, I can overcome this with Rashi’s own words for this could not be Jesus, your god [whom Rashi is referring to], for no

253 *Talmud Bavli*, Rosh HaShanah 17a.

254 The passage is found in our modern texts of the *Talmud Bavli* in Tractate Eruvin 19a. Perhaps in Donin’s time, it was also located in Tamid.

255 See “Apostasy” in *Oxford Dictionary of the Jewish Religion*, ed. Berlin, 60.

256 Ibid.

257 Apostates from Judaism.

258 This comment may be directed at Donin’s former Karaite inclinations.

259 This comment is not found in our texts of Rashi’s commentary.

260 Jacob ben Meir, one of the Tosafists who was born in Ramerupt in Northern France and married Yocheved, Rashi’s daughter.

one is referred to as a *min* except one who believes in the Torah of Moses as is written, but not in the explanations of our sages, may their memories be a blessing. But Jesus, your god, did not believe in the Written Law and was not then a heretic, as in your opinion he was a god.

“If [on the other hand] you prefer to say that this is a reference to Jesus your god, as Rashi opined, then by right his apostles should be condemned to Gehinnom for they entered into the covenant of the Torah which was given to our fathers at Mount Sinai, as it says, ‘Not only with you who stand here with us today before the Lord our God, but also with those who are not here with us today.’²⁶¹ It is apparent that also they who were not present at the hour of the giving of the Torah entered into the covenant. Because his apostles entered into the covenant, since they were of the faith of Israel previously and accepted it upon themselves for a long time and then threw off the yoke, who could forgive them this great sin?!

“Since they did not return, no atonement will be available to them and their fate is in Gehinnom, as it says, ‘And they shall go out [and look at the dead bodies of the people who have rebelled against me; for their worm shall not die, their fire shall not be quenched, and they shall be an abhorrence to all flesh].’²⁶² Those ‘who have rebelled against me,’ that is to say against my covenant that they accepted upon themselves through the covenantal sign. Then they bent their shoulders to rebel against me. And what is their sentence? ‘For their worm shall not die, and their fire shall not be quenched.’²⁶³ The fire emitted from their bodies shall never be quenched. They shall never decay, but shall suffer these sufferings. And Gehinnom shall be annihilated for others but they shall not be annihilated, for their fire shall not be quenched, as it says, ‘And their Redeemer shall waste away Sheol.’²⁶⁴ [It is] Sheol that shall decay. Sheol is Gehinnom. They themselves shall not be annihilated. However, the gentiles who never, ever accepted the covenant have no Gehinnom like this. But you [Donin] who were a Jew and accepted the covenant upon yourself and afterwards threw off the yoke [of the covenant], who will be able to forgive you?”

261 Deut 29:14–15.

262 Is 66:24.

263 Ibid.

264 Ps 49:15. The New Revised Standard Version has, “And their form shall waste away, Sheol shall be their home.” The meaning of the second phrase is unclear. However, our author wishes them to survive the withering of Sheol. Thus this translation.

[Salvation for Christians and for Donin]

And the bishops instructed the faithful messenger [Rabbi Yehiel], “Swear upon your faith – may we be saved through our law?”²⁶⁵

The rabbi answered, “I shall tell you. You may be saved – also according to your own religion – if you observe the seven commandments about which you were obligated. Through them you may be saved.”

They responded, “See, we have ten.”

The rabbi answered, “Good and lovely for you. But this heretic was obligated about six hundred and thirteen commandments. And even if he fulfilled six hundred and twelve and lacked no more than one, he would be sentenced to annihilation because he entered our covenant. There is one Gehinnom for those who sin with their bodies, whether gentiles or Israelites. And there is a full passage in Isaiah [that indicates] that they will be turned into dust, as it says, ‘See, the day is coming, burning like an oven, when all the arrogant and evil doers will be stubble’;²⁶⁶ and who is this who knows his creator²⁶⁷ and yet tramples him. [This is like] the ‘empty-headed one that does not put on the phylacteries’²⁶⁸ out of anger because he [the Lord] despises them. He ‘will be stubble’²⁶⁹ – like stubble, which is quick to be lit by anything. And he ignites them (the stubble) the next day, – for it is a simple matter to set a fire when it is straw. The very same day that he immolates the arrogant, he will ‘bring healing’²⁷⁰ for the righteous, as it says, ‘[But for you who revere my name], the sun of righteousness shall rise,’²⁷¹ etc. And after he sets the fire, they shall become the ashes of straw under the soles of the feet of the righteous, as it says, ‘And you shall tread down the wicked, [for they shall be ashes under the soles of your feet ...].’²⁷²

“It may be found in the words of our rabbis that there is a light Gehinnom and a Gehinnom that is not light.²⁷³ And because you asked about those who call out against the kingdom of arrogance and [claimed that] it is this kingdom, behold

265 The Hebrew word here is *toratainu*, giving an equivocal meaning. The meaning is either the book of the New Testament or the entire tradition of the Church.

266 Mal 3:19.

267 *Bamidbar Rabbah*, *Parashat Nasoh*, *Parashah* 10.

268 *Talmud Bavli*, Rosh HaShanah 17a. Even the Jew is sentenced to Gehinnom.

269 Mal 3:19.

270 *Ibid.*, 3:20.

271 *Ibid.*

272 *Ibid.*, 3:21.

273 A Gehinnom that is temporary and one that is perpetual.

evil is under your tongue²⁷⁴ and deceitfulness between your lips.²⁷⁵ We do not speak about this kingdom [in our prayer]. For no one is called arrogant but the one who knows his Creator and lashes out against him, as it is written, 'And all the arrogant ... will become straw,' refers to Pharaoh, the king of Egypt for whom our God – blessed be he – made wonders and great miracles and signs; and he lashed out and said, 'Who is the Lord that I should heed him and let Israel go?'²⁷⁶ And so too Nebuchadnezzar, the king of Babylon, who knew his Creator and said, 'I will mount to the tops of the clouds, [I will make myself like the Most High].'²⁷⁷ And about him it is written in Jeremiah, 'I am against you, O arrogant one.'²⁷⁸ Likewise "They rose arrogantly against her [Babylon]," and thus were they arrogant against her, for she was arrogant to the Lord. And so too the king of Assyria who said, 'Who among all the gods of these countries [has saved their countries out of my hand, that the Lord should save Jerusalem out of my hand]?'²⁷⁹ And all of them put Israel to death, exiled them from off their land, slaughtered them, made war against them, buried their houses and their Temple, made decrees of horrible deaths against them every day, and never provided any benefit for them. It is in regard to these kingdoms that we pray,²⁸⁰ [that God should overthrow them].

"However, this kingdom and the Pope [Gregory IX] commands with all his authority to protect us, to keep us alive, to give us sustenance and a remnant²⁸¹ in their lands, which is not required by law, for we have no part nor lot with them in this land. And, after our Creator, we live under their power. And who could listen to this [and conclude] that we return evil for good? And if one enemy and villain does evil to us, shall we be wrathful against the entire people? In this regard it is said, 'Shall one person sin [and you become angry with the whole congregation]?'²⁸² No. This will never be and it would never occur to Israel to repay evil for good. Rather, about this kingdom it is said, 'Pray for the well being of the government'²⁸³

274 Song 4:11.

275 Zeph 3:13.

276 Is 5:2.

277 Is 14:14.

278 Jer 50:31. Here, "arrogant one" personifies Babylon. The Hebrew word is *zadon*.

279 Is 36:20.

280 Is 14:20.

281 Perhaps referring to the readmission of Jews to France in 1198 after their expulsion by Philip Augustus in 1182.

282 Num 16:22.

283 *Pirque Avot*, 3:2. Here the word "government" appears as *malchut*, from king, *melech*.

“And our rabbis said further, ‘A certain Gueber²⁸⁴ came in and took away their lamp because it was a Gueber holiday and they confiscated all lamps in the city to illumine their idolatrous place.’ He [Rabbi bar Bar Hanna] said, ‘Merciful God, [let us endure] either in your shadow or in the shadow of Esau,’ which means either place us in your shadow or in the shadow of Esau.²⁸⁵ It was against the very same kingdom, like partners whether they were Persians or Babylonians, against whom they issued various condemning edicts and fixed this curse²⁸⁶ in the language of the arrogant who tramples upon his Creator but recognizes him.”

[The Talmud’s Stories and Laws are Absurd]

The one [Donin] asked further, and he opened his mouth and spoke, “Listen to my words and I will relate to you the mocking expressions [the Talmud employs] to tell parables. See, it is written in your Torah [the Talmud], ‘[In his world] God has only four cubits of *Halakha*.’²⁸⁷ It further says, ‘The night has only three watches and at each watch the Holy One, praised be he, sits and roars like a lion,’²⁸⁸ and cries every day over his household and Temple and sons who are exiled among the nations, as is claimed in Berakhot, and it [the Talmud] says that the sages have the power to uproot a dictum of the Torah. This people – there never was [any like them], for they have no Torah. And deciding to give them sustenance is a cardinal sin, for they do not even observe their (own) Torah; rather, they destroy, diminish, augment, interpret it, and utter nonsense ²⁸⁹

“For, [so reports the Talmud], Og, the king of Bashan, heaved upon his shoulders a mountain of three parasangs to throw down upon Israel, but the ants reamed into it so that his head went into its hollow. He attempted to extricate himself but his teeth grew, so he could not extricate it [his head]. Then Moses, their rabbi, killed him, as Berakhot reports in chapter *Ro’eh*.²⁹⁰

“It says further that there is a certain bird named Bar Yokhni that laid an egg that drowned sixty towns.²⁹¹

284 The priest of a fanatical sect of fire worshippers which became powerful in the Persian empire in the fourth century. *The Babylonian Talmud*, ed. Isidore Epstein (London, 1961), Tractate Gittin 17a n. 4.

285 *Talmud Bavli*, Gittin 16b–17a. “Esau” is the Talmud’s allegorical name for “Rome.” In other words, “Let us live under the reign of the Pope (Rome) rather than that of the Levantine cultures.”

286 Is 14.

287 *Talmud Bavli*, Berakhot 8a.

288 Ibid., 3a.

289 Eccl 1:2, *haveil havalim*.

290 *Talmud Bavli*, Berakhot 54b.

291 *Talmud Bavli*, Bekhorot 57b.

"It says further that once Abba Shaul ran after a deer that entered the hollow of the thighbone of a corpse.²⁹² [He ran] three [parasangs] and did not overtake the deer and the hollow of the bone did not end.²⁹³

"It says further that the Lord said, 'They have defeated me.'²⁹⁴ Can he be defeated by man?

"It says further that in the future they shall eat a meal of Leviathan that, since the six days of creation, was in salt to prevent decay.²⁹⁵ And they shall drink wine reserved in grapes from the six days of creation.²⁹⁶

"And it says that Rabbi Joshua ben Levi fooled the Angel of Death and is still living in the Garden of Eden.²⁹⁷

"And it says that the first man lay with every beast, animal, and bird, and sired ghosts, he-demons, and she-demons.²⁹⁸

"And that he was larger than the size of the universe.²⁹⁹

"And that he had two countenances, front and back.³⁰⁰

"And it states that '[Abraham killed three calves to make it possible for the three angels to eat] three tongues in mustard in the house of Abraham.'³⁰¹

"And it says, 'that [the angel] Metatron wrapped God's *tefillin* and they ascend [to God] on their own.'³⁰²

292 The corpse was of Og.

293 *Talmud Bavli*, Niddah 24b.

294 *Talmud Bavli*, Bava Metzi'a 59b.

295 *Talmud Bavli*, Bava Batra 74b.

296 *Talmud Bavli*, Berakhot 34b.

297 *Talmud Bavli*, Ketubbot 77b.

298 *Talmud Bavli*, Eruvin 18b.

299 *Talmud Bavli*, Hagigah 12a. Here "Says Rabbi Yehuda, 'The first man was created to span from one side of the universe to the other.'"

300 *Talmud Bavli*, Berakhot 61a.

301 *Talmud Bavli*, Bava Metzi'a 86b.

302 *Tefillin* are two black leather boxes attached to long leather straps worn by Jewish men during weekday morning prayer. The boxes contain certain biblical passages.

The passage does not occur in our modern Talmud. Similar acts are attributed to Sandelphon and Michael in *Heikhalot* literature. See *Sefer Razaya*, Chap. 1, Ot 50. A passage such as this may be recalling talmudic material from the third or fourth centuries. The rabbinic myth of God's *tefillin* was the occasion for Christian disparaging of Judaism as early as the early twelfth century. Petrus Alfonsi, a convert to Christianity from Judaism, as part of his *Dialogues of Peter and Moses the Jew*: "Whence was the mystery of so secret a matter revealed to you sages, when neither Moses himself left written record of it anywhere nor did any prophet after him report it?" *Dialogi Petri et Moyse Iudaei*, PL 157:538 quoted in Cohen, *Living Letters of the Law*, 203.

“And it says, ‘David shall not come until the walls of Rome fall, are rebuilt, and fall [again].’³⁰³

“And further, that the entire world will turn to apostasy.³⁰⁴

“All of these examples and others similar to them will be assessed and hissed at by all who hear [of them]. Can the wise grasp its way or the intelligent estimate its value? [No], for it teaches vanities. They [the books of the Talmud] deserve to be burned.

“This was once done in the days of Emperor Vespasian, who burned the Torah. And in the time of Rabbi Judah ben Baba it was decreed that all who ordain [and all who are ordained] should be put to death.³⁰⁵ And they also burned Rabbi Hanina ben Teradion [wrapped] in the Torah scroll.”³⁰⁶

And all of the bishops stood and mocked the words of the living God and applauded.

And the Lord was with his servant and supporter with all his spirit and his strength, for he [Rabbi Yehiel] took his life in his hands and exposed himself to death for the Torah of our God and the remnant of his heritage. And he put into his [Rabbi Yehiel’s] mouth an answer to the hypocritical, unfit simpleton, may his name and memory be blotted out.

The rabbi said to him, “The first of your words were mocking and joking about Scripture, [when you said:] ‘In his world, God has only four cubits of Torah.’³⁰⁷ Are you not aware and have you not heard that, when the Temple was in existence, his presence dwelt there and it was concentrated between the cherubim, as it says, ‘[There] I will meet [with you, and from above the mercy seat, from] between the two cherubim ...’³⁰⁸ And thereby was his name great among the nations and renowned among all peoples, as it is written in the prayer of King Solomon, ‘[When a foreigner] comes and prays toward this house ... in order that the nations shall know your name.’³⁰⁹ And therefore it [the Temple] became beloved to him, as it says, ‘The eyes of your God are always on it [from the beginning of the year to the end of the year].’³¹⁰ And it is written,

303 *Talmud Bavli*, Sanhedrin 98a.

304 *Ibid.*, 97a.

305 *Ibid.*, 14a.

306 *Talmud Bavli*, Avodah Zarah 18a.

307 *Talmud Bavli*, Berakhot 8a.

308 Exod 25:22.

309 1 Kgs 8:41.

310 Deut 11:12.

‘... The Lord loves the gates of Zion.’³¹¹ And now that it [the Temple] is laid waste and desolate and our God is in heaven, as it says, ‘I will return again to my place ...’³¹² [God] takes delight only in the four cubits that a man occupies when he occupies himself with Torah. For in the entire world no one calls out his name and does his will other than the man who occupies himself with Torah and worships him, and four cubits is the measure of space that man occupies.

“And regarding that about which you opened your mouth, that our rabbis said, ‘Three times every day, the Holy One, praised be he, weeps,’³¹³ have you not exaggerated much more greatly about your god? You have told tales larger and more miraculous than these about your god. Our rabbis, however, did not speak about him except [in the language of] Scripture: ‘The Lord will roar from on high, and from his holy habitation utter his voice, he will roar mightily over his abode.’³¹⁴

“With regard to that which is said that it is within the power of sages to uproot something from the Torah forever, they do not write that they are authorized to uproot any commandment of Scripture thoroughly forever. [This permission is] only as the moment [requires]. For example, Elijah uprooted when he brought a sacrifice on an altar against the prophets of Baal,³¹⁵ although it was written, you shall not ‘offer your burnt offerings at any place [you happen to see].’³¹⁶ And how did he sacrifice on this altar except due to the need of the moment? In order to sanctify the name of the Lord in public and to put to shame the prophets of Baal, he uprooted this one *mitzvah* from the Torah. But he did not do so permanently forever, only for that moment. Therefore, the sages of the Talmud authorized this for the needs of the moment and not permanently. Likewise, the same is true among you. For the needs of the king, you permit marriage with a close relative [through a decree of the pope] that permits marriage with a close relative. You do not designate this as uprooting a law.

“And that which you inquire regarding Og, the king of Bashan, and how he uprooted a mountain of three parasangs.³¹⁷ We take this as a figure of speech.

³¹¹ Ps 87:2.

³¹² Hos 5:15.

³¹³ The word *roar* appears three times in this verse, corresponding to the three night watches.

³¹⁴ Jer 25:30.

³¹⁵ 1 Kgs 18:25–39.

³¹⁶ Deut 12:13.

³¹⁷ Iranian measure, about four miles.

There are many just like this in Scripture: ‘The cities are large and fortified up to heaven!’³¹⁸ But rather, because they were so very lofty, it seemed to them that they reached to the heavens. We understand it this way, even though they did not [actually] reach [the heavens]. The language of the sages is the same. Because the mountain was so very large, it seemed to a mortal that it was as large as three parasangs. Thus do we understand this. Thus too, ‘And the earth quaked at their noise.’³¹⁹

“And with regard to your mocking his [Og’s] teeth that grew so large that he could not extricate his neck?³²⁰ It [only] seemed as if his teeth grew large. And so too it is written, ‘And the arm of the evil ones shortens [i.e. their power diminishes] when they cannot accomplish evil.’ It appears as if their arm is shorter! But [these examples are insignificant,] for the work of our God is greater and more wondrous than these. Through Moses, our rabbi, he worked a miracle far greater than this. Did he not strike Egypt with ten plagues and divide the sea and cause manna to fall and bring the quail for Israel? Is the matter of Og so astonishing that it could not be?

“Regarding Bar Yokhni, who drowned sixty towns,³²¹ this is the language of hyperbole, as I have explained. Likewise, it is written in Job, ‘Is it by your wisdom that the hawk soars, and spreads its wings over the earth,’³²² which implies that there is one bird called a hawk that holds the entire southern region of the world by its wing. Could not a bird such as this drown sixty cities with its egg?

“We can explain further – concerning the thighbone of a certain corpse – that this concerns the *ananim*³²³ it is written, ‘And we were grasshoppers in their eyes.’ The spies who were fully grown seemed more like grasshoppers in the eyes of the *ananim*. Abba Shaul, who was in the first generations [of the talmudic rabbis],³²⁴ would have seemed like a grasshopper to the spies and even more so in the eyes of the *ananim*, as if he was some kind of ant. And that is how he was able to walk three parasangs through a thighbone.

“As for ‘My sons have defeated me,’³²⁵ the Scripture says, ‘You shall follow the majority.’³²⁶ When in one generation the majority declares [something]

318 Deut 1:28.

319 1 Kgs 1:40.

320 *Talmud Bavli*, Berakhot 57b.

321 *Talmud Bavli*, Bekhorot 57b.

322 Job 39:26.

323 Num 13:33.

324 See for example *Talmud Bavli*, Qiddushin 74a.

325 *Talmud Bavli*, Bava Metzi’a 59b.

326 Exod 23:2.

pure, the Holy One, praised be he, agrees with them. When a second generation comes and the majority declares [the same thing] impure, the Holy One, praised be he, agrees with them. Then, his sons have defeated him. ‘For the victor, a song’³²⁷ means that they prevailed over him and he rejoices that ‘forever’ is not written.³²⁸

“Regarding Leviathan, you mocked what the sages said, that it was killed during the days of creation.³²⁹ Is it not written, ‘So the Lord created the great sea monsters’³³⁰ among the creeping things of the waters? The meaning is that he created two.³³¹ And it is also written, ‘On that great day the Lord, with his cruel sword, will punish Leviathan the fleeing serpent, Leviathan the twisting serpent ...’³³² These are the two written of in the Book of Genesis. And it is written, ‘And he will kill the dragon that is in the sea.’³³³ This means one [was left to be killed]. And as to the one [left to be killed] written in this verse, who killed it? Since the Holy One, praised be he, did not want them [the Leviathan] swarming about in the sea, slaying the people [Israelites] as they marched through the sea, he [killed it,] and surely he preserved it with salt. And it is further written, ‘Leviathan that you found to sport in it.’³³⁴ This indicates that there was only one remaining. And ‘this,’ masculine singular, is what is written, not ‘this,’ feminine singular. And surely ‘male and female he created them,’ meaning each species that the Holy One, praised be he, created, he created male and female.³³⁵

“And regarding the meal,³³⁶ is it not written, ‘Can you draw out Leviathan with a fishhook ...?’³³⁷ ‘Companions will make [yikbru] a banquet of it.’³³⁸ *Yikbru* is the language of a meal,³³⁹ as is written, ‘So he prepared [vayyikhreh] for them a great feast [kayra].’³⁴⁰ ‘*Habarim*’ here means friends, and Israel is called

327 Opening words of Pss 13, 19, 20, and others.

328 There are three more words here that make no sense.

329 *Talmud Bavli*, Berakhot 34b.

330 Gen 1:21.

331 Because “sea monsters” is plural.

332 Is 27:1.

333 Ibid.

334 Ps 104:26, because Leviathan is singular in the text.

335 *Talmud Bavli*, Bava Batra 74b.

336 Ibid.

337 Job 40:25.

338 Ibid., 40:30. This is the Talmud’s reading.

339 *Talmud Bavli*, Bava Batra 75a.

340 2 Kgs 6:23.

‘friends,’ as it says, ‘O, you who linger in the gardens, friends are listening for your voice ...’³⁴¹ Furthermore, it is written, ‘And the Lord God planted a garden in Eden ...’³⁴² and it is written, ‘[Your people shall all be righteous; they shall possess the land forever.] They are the shoot that I planted, the work of my hands ...’³⁴³ This is the same fruit garden [as Eden] in which they [the righteous] shall eat them [the Leviathans]. Can a man eat them now? Rather, the Holy One, praised be he, has hid them away for the righteous for the future to come.

“And about Rabbi Joshua ben Levi being alive in the Garden of Eden,³⁴⁴ as it says, ‘and Elijah ascended in a whirlwind into heaven.’³⁴⁵ And Elisha who resurrected the dead after his own death, as it says, ‘The man was thrown into the grave of Elisha and he came to life.’³⁴⁶

“And about the matter of which our sages spoke that Adam copulated with all the beasts and animals, but was not satisfied until he was properly mated to Eve. He states this, as it says, ‘And the man gave names to all the beasts and all the animals ...’³⁴⁷ It is proper to say this, as is written, ‘And Adam gave names to all the cattle and to the birds of the sky and to all the wild beasts, but for Adam no fitting helper was found.’ This teaches you that he copulated with all the beasts and animals and gave them names but found no helper [for himself], that he was not satisfied. Thus it is written, ‘The Lord caused a deep sleep to fall upon Adam.’³⁴⁸ ‘This one at last [is bone of my bone and flesh of my flesh]’³⁴⁹ Now he was satisfied. And in this he did not sin because illicit sexual intercourse was not yet cautioned in this case.

“And concerning what you asserted, that he [Adam] sired ghosts, he-demons, and she-demons, indeed he sired these, since we find no mention of their creation in the Book of Genesis. There are many beings that have a body and soul and reproduce in the manner of man and die; such as those called

341 The text here varies from the Talmud where “companions” is made to mean scholars. The text of the dispute is not intelligible without relying on Bava Batra 75a.

342 Gen 2:8.

343 Is 60:21.

344 “The Garden of Eden” has a rabbinic meaning here, heaven or the next life for the righteous.

345 2 Kgs 2:11.

346 Ibid., 13:21.

347 Gen 2:20.

348 Ibid., 2:21.

349 Ibid., 2:24.

*Lutin*³⁵⁰ (Goblin), many of which are found among us. Those they called *Piash* (?) from whom did they descend? There is no problem with those who were created without a body, only the soul alone, as it is written, ‘to do’ and not ‘did.’³⁵¹ These are the ghosts whom he created as a soul, but did not complete creation of the body. Thus, ‘to do’ and not ‘did.’ However, those that were completed with both body and soul, such as *Lutin*, from whom did they derive? Clearly, Lillith came and lay with him [Adam] while he was unaware, since she had no substance, for she had no body. And when he discharged into her the seed, she was created [with substance: a body] at the outset. And from her came the same ghosts, he-demons, and she-demons, as it says, ‘When Adam was one hundred and thirty years he became a father in his likeness, according to his image.’³⁵² This means that until his one hundred and thirtieth year he sired offspring not in his image, according to his likeness.³⁵³

“And regarding [the assertion] about Adam, that he was as [large as] the distance from heaven to earth and from one end of the universe to the other,³⁵⁴ is this any wonder? Is it not written, ‘You have made them little lower than God,’³⁵⁵ and it is written, ‘[You have put] all things under his feet.’³⁵⁶ If so, all the world was entirely under his feet. It is a great exaggeration to say that he was only a little less than God and, if so, there was no measure to his [physical] height, for it is written, ‘Who has measured the waters in the hollow of his hand ...’³⁵⁷

“Regarding the double face³⁵⁸ [of Adam], is it not written, ‘You hem me in behind and before ...’³⁵⁹ which implies that he created in him a face front and back.

350 A French hobgoblin or domestic spirit, an amusing creature in French folklore. See Thomas Keightley, *The Fairy Mythology: Illustrative of the Romance and Superstition of Various Countries* (London, 1892), 476.

351 This interpretation, based upon Gen 2:3, rests on the final word, *la-asot*, an infinitive taken to imply that there were creatures that the Lord intended to create but did not.

352 Gen 5:3.

353 Ibid.

354 *Talmud Bavli*, Hagigah 12a.

355 Ps 8:5.

356 Ibid., 8:6.

357 Is 40:12. An example of the Scripture’s use of size as a metaphor for God’s greatness.

358 *Talmud Bavli*, Berakhot 61a.

359 Ps 139:5.

“And as for the angels that ate three tongues in mustard,³⁶⁰ more exceptional [things] than this did they do, as it says, ‘The sons of God saw that they were fair [and they took wives for themselves of all that they chose.]’³⁶¹ That they took wives for bed is far worse than that they ate in a foul manner.

“And as for what you said, that they burned the Torah in the days of Vespasian,³⁶² they did not only burn the Talmud, but the entirety of Torah did they burn. And you acknowledge that the Torah of Moses is good and that the Talmud is its explication, that if not for the Talmud, a man would not understand the commandment properly.

“And that which you said, ‘The city in which the ordination took place was demolished’³⁶³ also, [however] they did not issue a decree against the Torah, but against those ordained for they were not to call them ‘Rabbi.’

“And Rabbi Hanina ben Teradion was among ten murdered by the Roman authorities.³⁶⁴ And it was by the divine word and it was by decree from heaven; it was from the days of creation. Rabbi Eliezer ben Parta was arrested on five charges and escaped. Rabbi Hanina ben Teradion was arrested on only one charge and did not escape. He occupied himself with Torah.³⁶⁵ Clearly, this was a [divine] decree. It was not the consequence of a deficiency of the Torah, for it is eternally true. This is as it is written, ‘The law of the Lord is perfect, reviving the soul ... the ordinances of the Lord are true and righteous altogether.’³⁶⁶ It [The Torah] protects those who study it. And our God, praised be his name, the God of heaven and God of earth, who created the sea and dry land and enabled our ancestors to cross the Reed Sea, and brought them near and gave us the Torah of truth, will have mercy upon us for the sake of his name and his Torah. And he will do good for us for the sake of his love, returning to us the portion of our legacy and the pleasantness of our Temple, that which we long for, the beloved of our hearts and eyes, and he will illumine our darkness and gather our dispersed to the resting place of our heritage, swiftly and soon. Amen and amen.

360 *Talmud Bavli*, Bava Metzi’a 86b.

361 Gen 6:2.

362 *Talmud Bavli*, Sanhedrin 14a.

363 *Talmud Bavli*, Sanhedrin 98a.

364 *Talmud Bavli*, Avodah Zarah 18a.

365 *Talmud Bavli*, Avodah Zarah 17b. Rabbi Eliezer was occupied with deeds of benevolence also, and because of these he was rescued.

366 Ps 19:8–10.

[The Conclusion of Joseph HaMekane to the Disputation of Rabbi Yehiel]

Thus concluded the interrogations by the heretic Domin,³⁶⁷ may God conceal his merit, but not hide his evil.³⁶⁸ May his very being decay forever. May his bones rot and may the ground under him shake.³⁶⁹ May an unquenched flame consume him.³⁷⁰ Let the worms [that devour him] never die, nor the fire that burns him be extinguished. And may he horrify all people.³⁷¹

He asked all this of our Rabbi Yehiel, son of Joseph, peace be upon him, may he rest in his grave, and may his repose be honorable. All this took place in the presence of the king³⁷² and queen in Paris at the king's court; there assembled the bishops of Sens, Senlis, and Paris and the Dominicans and Franciscans, in the final year of the fifth millennium [according to the Hebrew calendar the year 5000] on the fifth day of the month of *Tammuz* on Monday, the third day of the reading of *Balak*.³⁷³

The spirit of God was upon him, so that he answered the allegations one by one, as indicated. Even though he remained alone among gentiles, the Rock will make the outcome better than the onset. And during this period, he was carefully guarded, so that he could not communicate to his associates his responses.³⁷⁴

And afterwards, on the fourth day of the Torah portion *Balak*, our Rabbi Judah³⁷⁵, may the memory of the righteous be a blessing, the son of our Rabbi David, was brought forward, and he responded intelligently.

Thus ended the answers of the heretic and believer. Blessed be the One who is good and does good, who gives strength to the weary. In the end "be

367 A disgraceful surname, a play on the apostate's true name, *Donin*.

368 Allusion to one of the *Selichot* (penitential prayers) for the Eve of Yom Kippur, *R'tzee tzum amcha*, Daniel Goldschmidt, *Seder HaSlichot: ke-minhad Lita* (Jerusalem, 1965), 256.

369 Hab 16:3.

370 Job 20:16.

371 Is 66:24.

372 It is uncertain whether King Louis IX was in fact present at the disputation. The Jewish report makes no mention of him in the court. Queen Blanche was present and participated actively.

373 Num 22:2–25:9, the Torah portion read on the previous Sabbath.

374 The report of the disputation tells us that three notable rabbis were brought to Paris by Louis IX to defend the Talmud with Rabbi Yehiel: Judah ben David of Melun, Samuel ben Solomon of Château Thierry and Moses ben Jacob of Coucy.

375 Judah ben David of Melun.

strong and resolute,”³⁷⁶ for the author was not harmed this day and neither [will he be] in the time to come, until a donkey climbs a ladder.

*Avrech*³⁷⁷ to God who [*Asher*]³⁷⁸ stands firm upon beneficence and whose Torah renews every soul.

On Mt. Horeb [*Bahar*]³⁷⁹ he was revealed in fire while giving [*Natan*]³⁸⁰ his law, and there he fulfilled his pledge.

The days of my life and the seasons of all my hosts are adorned with the glory of pleasing songs

For who can recount his wonders and not wax abundant in tribute.

It is impossible to know the extent of (God’s) understanding. He returns loving-kindness and goodness to sinners.

His wonders overflow the human heart, and rise up beyond measure.³⁸¹

As for those humbled before God,³⁸² it is pleasing to give thanks with the poor and downtrodden.

My heart is very strong and courageous and gives thanks to God, adored and venerated by all around.

The One [*Asher*]³⁸³ who helped me with his love until this moment, enabled me to prevail in answering questions.

Therefore, all the days of my life, above all, *Avrech* to the One [*Asher*] who stands firm upon beneficence.

376 2 Sam 10:12.

377 Egyptian salutation to Joseph, see Gen 41:43; an allusion to the name of the author, Joseph.

378 Alludes to the author’s brother Rabbi Asher ben Nathan.

379 Lit., “on the mountain,” an allusion to the Hebrew abbreviation for *ben ha Rav*, the son of the Rabbi.

380 In Hebrew, *Natan* is the word for giving as well as the name of the father of the author, *Nathan*.

381 The first word of each Hebrew line of the poem, beginning in line three and through line six, spells the name of the author, Joseph.

382 The Hebrew *ve-asfai ail* alludes to the word *Official*, the common last name applied to *Nathan* and his son, Joseph. Father and son served the archbishop of Sens as financial advisors and agents. The author’s entire name is now concealed within the text.

383 Another use of this word, which is also the name of the author’s brother.

Appendix

The Dirge of Rabbi Meir of Rothenberg on the Burning of the Talmuds of Thirteenth-Century France by King Louis IX

Translated by JOHN FRIEDMAN

Ask, oh you consumed by flame, how your mourners fare;¹
Those who long to reside in the courtyard of your palace;
Those who pant to inhale the dust of the land,² and those in pain;
Those confounded by the scorching of your scrolls;
Those who walk in darkness without illumination³
And long for daylight to shine upon them and upon you.
How fares the broken-hearted one who moans and weeps,
Who continually laments the agony of your birth pangs,
Who howls like jackals and ostriches,
Who cries out a bitter lament for your sake?
How could it be that you, who were given in the divine all-consuming fire,⁴
Could be consumed by mortal fire, while your alien foes were not even
scalded by those hot coals?
How long will you pampered nations⁵ dwell in abundant tranquility,
While the blossoms of my youths are covered by thorns?⁶
You sit with overweening pride, judging God's children with all manner of
legalities
And then bringing them before your magistrates.
And moreover, your decree is to burn the blazing law and its statutes.
Therefore, worthy of praise be any who repay you as you deserve.⁷

1 Compare to Judah HaLevy's "Ode to Zion," written in the previous century and often imitated. See especially Susan L. Einbinder's *Beautiful Death: Jewish Poetry and Martyrdom in Medieval France* (Princeton, 2002), 73.

2 Amos 2:7.

3 Is 50:10.

4 Deut 33:2.

5 Is 47:8.

6 Prov 24:31.

7 Ps 137:8.

O my Rock, who produced the Torah in flame and fire,⁸ did you thus give
 the Law, that in the end
 These scrolls would be edged by flame and fire?
 O Sinai, was it for this reason that God chose you,⁹
 While rejecting higher peaks to shine light within your borders;
 That you become an omen that the Law would diminish and fall from glory?
 Indeed, I will illustrate your state with allegory:
 Compare this to a king who wept at his son's wedding
 Because he foresaw that his son would die that day; thus you, Sinai, foretold
 the burning of the Law in your own words,
 Therefore, instead of donning robes, Sinai, you should cover yourself with
 sackcloth.
 Clothe yourself with widow's raiment; change your attire.
 I will shed tears until they swell like a river,¹⁰
 'Til they reach the burial sites of your two noble princes:
 They are Moses and Aaron, on Mount Hor.
 And I shall ask, "Is there a Torah that is new – and is it for this purpose that
 your Scrolls have been incinerated?"
 In the third¹¹ month they received the Torah; but they rebelled in the
 fourth,¹²
 Thus destroying your delight and the beauty of your perfection.¹³
 Moses shattered the tablets, and another one then repeated his folly
 Burning the law in flames. Is this the completion of your double penance?¹⁴
 I marvel that food continues to delight my tongue,
 After I witnessed how they gathered plunder from you
 Into the center of a public square, like booty¹⁵ taken from an apostate city,
 and burned the spoils of God on high –¹⁶
 And this done by those whom you would shut out of your own congrega-
 tions.

8 Exod 20:15.

9 *Talmud Bavli*, Megillah 29.

10 Lam 2:18.

11 The Torah was given in Sivan.

12 On 6 Tammuz, 1241 or 1242, 24 wagonloads of sacred texts were burned in Paris.

13 Lam 2:15; this is the mid-point of the poem, inviting this climactic moment.

14 Is 40:2.

15 Rabbinic texts.

16 Deut 13:17–18.

*I do not know how to find the road you have paved to lead me to the understanding of your ways.*¹⁷

Does mourning now shroud your distinctive path of righteousness?
It would be sweeter to my mouth than honey to mix my drink with tears
And to chain my feet in your shackles.

It would be pleasant to my eyes to drain the waters of my tears
Until they were entirely shed for all who cling to the hem of your robes.¹⁸
But they would evaporate as they rolled down my cheeks,
Because I take strong pity upon the wanderings of your Master.
God took his money purse, filled with silver, and journeyed far,¹⁹
And with him so fled your cover.²⁰

And I, like an abandoned parent – utterly alone,²¹ I am forlorn without them.

I am like a lone mast upon your towering peak;²²
I no longer hear the voice of male or female singers,
For severed are the throbbing rhythms of your pipes.
I clothe and cover myself with sackcloth, for your beloved victims are very precious to me;

And as mighty as the sand is abundant, so are the souls of your slain.

I am powerfully stunned by the light of day which
Illumines everyone else, but leaves me and you in darkness.

Wail bitterly to the Rock over your annihilation and your anguish;
If only he would remember the love of your betrothal days.²³

Gird yourself with sackcloth garments against the blaze
That erupted to dismember you and destroyed your eminent scholars.
May the Rock comfort you according to the length of your suffering;²⁴
And may he bring home the exiled of the tribes of Jeshurun,²⁵ and exalt those who have been humbled.

17 Jer 18:15; this is the *phi* point of the poem, the so-called “golden mean” number derived from the Fibonnaci Series that is built into so much of great art.

18 1 Sam 15:27.

19 Prov 7:19–20.

20 Song 2:17.

21 Is 49:21.

22 Is 30:17.

23 Jer 2:2.

24 Ps 90:15.

25 Jer 30:3.

Once more will you don your crimson apparel and take up your timbrel²⁶
Dance once again in circles, and take pleasure in your round dancing.
My heart will exalt when your Rock illumines you anew,
Lights up your darkness, and brightens your shadowy night.²⁷

²⁶ Jer 31:3.

²⁷ 2 Sam 22:29.

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